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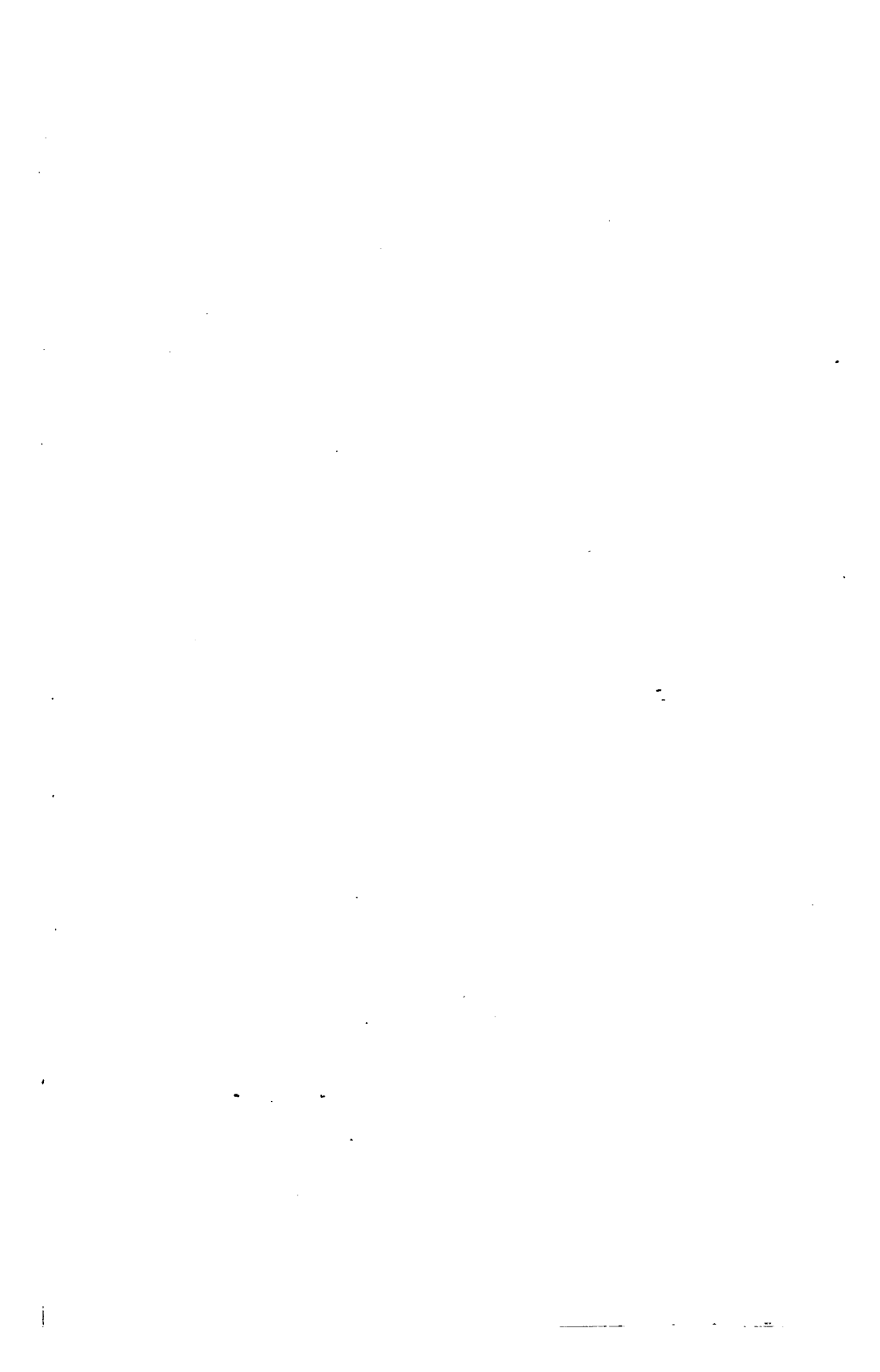
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THE
STAR CHAMBER.

NOTICES OF THE COURT

AND

ITS PROCEEDINGS;

WITH A FEW ADDITIONAL NOTES OF THE

HIGH COMMISSION.

BY

JOHN SOUTHERDEN BURN,

AUTHOR OF "THE HISTORY OF PARISH REGISTERS;" "FOREIGN
PROTESTANTS IN ENGLAND;" "THE FLEET REGISTERS;" ETC.

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PREFACE.

The COURT of STAR CHAMBER and that of the HIGH COMMISSION having for upwards of a century held a most arbitrary and unconstitutional control in England, it has been thought useful to concentrate some of the scattered notices of these Courts and of the variety of the cases entertained.

Some account of the Court of High Commission has already been published,¹ the following pages therefore will be devoted to the Star Chamber. Rushworth says, "there is little mention made of the Star Chamber Court, either in reports or treatises of the Law, except now and then, dispersedly in some one or two causes in an age." But there are now in the British Museum, at the Rolls, and in the Bodleian and Cambridge University Libraries, several volumes of Star Chamber cases, from which the following pages have been chiefly compiled, and there are at the Rolls Record Office many hundreds of bundles of proceedings which were for many years entombed at the Chapter house, but are now being arranged and catalogued under the direction of the Master of the Rolls. Five large volumes of Indexes refer to these bundles. One of them is an Index, (from A to H) to suits in the reign of Henry VIII. and the other four to about 43,000 suits in the reign of Elizabeth. The bundles contain bills, answers, interrogatories, depositions, &c., but no decrees.

It is doubtless true that in the early days of this Court it served, as Sir Thomas Smith says, "to bridle such stout noblemen and gentlemen who would offer wrong by *force* to any meaner man, and cannot be content to demand and defend the right by *order of law*." The early cases thus shew that the business of the Court was chiefly with noblemen, sheriffs, abbots, corporations and persons of the higher classes, and also with rioters and persons using "acts of violence," and taking forcible possession of lands. In course of time, however, the meshes of the net were contracted, and nothing escaped the power of the court,—it fined a nobleman £30,000, and sent three poor fiddlers to the whipping post. It fined ladies and gentlemen for not leaving

¹ "The High Commission—notice of the Court and its proceedings." Lond. 1865.

London for their country houses,¹ and punished the poor sword-bearer of York for stopping in the street to laugh at a libellous song. It punished Sir John York for having players "to play the devil" at his house in Yorkshire, and sent to prison many juries on account of their verdicts.

These cases were a source of revenue to the Crown. Henry VII,² James I., and Charles I. were especially active in appropriating the fines for their own benefit, or assigning them to their relations or dependents. And who durst complain? A barrister was reprimanded for questioning the antiquity of the Star Chamber. The court seized Mr. St. John's papers, with a view of ascertaining whether he had drawn Burton's answer. An attorney was sued for giving advice contrary to the interests of the court.

It will be seen that the two Courts played into each other's hands, the Star Chamber inflicting fine and imprisonment, and then handing over the accused to the tender mercies of the High Commission, for deprivation or other ecclesiastical punishment, as in the cases of Zinzan, Leighton, Gill, and others. The High Commission, in return, handed certain cases over to the Star Chamber to avoid the obloquy of their proceedings; while the Star Chamber prosecuted (as in Madye's case) for scandal of the High Commission, and made an order in 1637 that if in the High Commission Court, a defendant would not take the oath *ex officio*, the information was to be taken *pro confesso*.

The amount and severity of the fines, imprisonments, and mutilations are almost incredible in these days of leniency and misplaced compassion. The fines would be considered heavy, even now after the changes in the value of money, effected by the lapse of more than two centuries. During Laud's primacy, the fines were much increased by his severity, as he almost invariably voted "with the highest," and in Hillyard's case "stood alone for a fine of £10,000." Sir David Foulis was fined £5,000 for not accepting knighthood, &c., and in that case, Laud was "in the highest sentence for fine and other punishments." Even Lord Clarendon says of Laud, that he never abated anything of his severity and rigour toward men of all conditions. But a great additional evil of those days was the grant of these fines by the Crown to private individuals, sometimes to the accusers themselves, as in the case of the Earl of Huntingdon who not only recovered from Sir Wm. Faunt £2,000 damages for a libellous letter, but obtained a grant of

¹ The court enforced the leaving London, whether the gentry had country houses to go to or not. In Dec. 1637, the King licensed Lady Jane Bacon and Lady Cramond with their families to remain in London for six months without information in the Star Chamber.

² See Dudley's account of fines received by Hen. VII. p. 32.

the £5,000 fine, and thus obtained also the power to ruin his enemy, who would thus be deprived of his appeal to the Crown, as "the fountain of mercy to great offenders."¹ The Crown however was quite alive to the subject of fines, which generally far exceeded the amount of damages given to the complainants, the real sufferers. Thus James I. ordered £2200 out of the first monies received from the £20,000 fine of the Countess of Shrewsbury, to be paid to Adam Newton *for the use of Prince Charles*—and his Majesty was furious when he found that the fine of £30,000 on the Earl of Suffolk, could not be levied on *Audley End*, as the Earl had stript it of its furniture. In the grant to Thos. Yonge of the fine of £1,000 imposed on Wm. Wall, a merchant, for importing logwood, the King reserved to himself one-eighth of whatever Yonge recovered, and he appointed the notorious Rd. Kilvert as his solicitor to levy the £10,000 imposed on the Bp. of Lincoln. There were not however wanting good men to remonstrate with the Crown on these grants. The Abp. of Canterbury, in 1613, wrote to the Lord Treasurer "that where we set the fine so high, it was with the intention of "lowering it on petition: but sure I am that there is not a fine "of any worth set with us, but it is immediately begged and "given away," and he proposes to the Lord Treasurer to move the King against such grants.

As regards corporal punishments, the reader is referred to the following pages, for it is painful even to repeat the cases of the rack, whipping of women, pillory, cutting off of ears, slitting of noses,² branding with a hot iron and other cruelties inflicted by the Right Revd. and Right Honble. Dignitaries³ who composed the Court of Star Chamber, in the front of whom must be placed Abp. Laud and Chancellor Finch. The result of the cruelties inflicted on Lilburne, was stated in the House of Commons to be, that by imprisonment he was made a *trunk*, by whipping a *rogue*, by pillory a *cheat*, and by gagging a *beast*. Yet Laud at his trial

¹ See p. 85.

² This was always perhaps an arbitrary infliction, and was abolished by "the Coventry Act." 23 Car. II. cap. 1.

³ As the Cases of Gill and Pickering are not given in the following pages, they may be here noticed. Alex. Gill was an usher at St. Paul's School and a friend of Milton. In a wine cellar at Oxford he had used some silly speeches for which he was sentenced in this Court, as follows:—fine £3,000, to be bound in good behaviour for life—referred to the High Commission for degradation and to the Vice Chancellor of Oxford for deprival. Pillory at Westminster with a paper and one ear cut off, and pillory at Oxford where he was to lose the other ear. In 1637 Mr. Pickering, for saying that the King was reconciled to Rome, and for having built a pigstie on ground belonging to a churchyard, was fined £10,000, pillory, ears, whipping, branding with a hot iron, boring his tongue with an awl, and imprisonment for life!!

justified his cruel sentences as being within the law laid down for the clergy. "To take away the ear," said he, "is not loss of hearing, and so no member lost; so for burning the face, or whipping, no loss of life or member."

But was all this misery the result of pure investigation, and were the sentences the verdict of even handed justice? The suit of Sir Rd. Strode *v* Sir John Strode, was 35 years in Chancery and 20 years in this court, where it was proved that Lord Bacon had large gifts "for getting such strange things done in Chancery." In Sir Rd. Wiseman's case, he had taxed the lord keeper with receiving a basin and ewer and £220 in money. The gift of this basin and ewer were admitted as a new year's gift but the receipt of the money was denied—for this accusation Sir Rd. was fined £10,000, £5000 damages to the lord keeper, and £1,000 to his servant, £1,000 to Mr. Justice Jones, to be pilloried, to lose both ears, to be incapacitated as a witness, to be degraded, and "have a whetstone about his neck." In Wraynham's case, Mr. Foss adds, the judgment appears to be just, but for the subsequent discovery that the Chancellor had shortly afterwards received a suit of hangings worth about £160. In Sir James Bagge's case, he had told Sir Anthony Pell that he would never get payment of his debt without giving money to the Lord Treasurer Weston, and "that he had laid many a thousand on his table and under his bed head"—the Court were divided 9 to 9, and the King ordered the Registrars *to forbear entering the censure of the Court*, and so the matter was hushed up.

There are a great many cases on the subject of "divided tenements, inmates, indwellers, or undersitters," (or lodgers as they would now be called), and "buildings on old or new foundations." In 1580, Q Eliz. issued a proclamation against these lodgers who were to provide themselves "other places abroad in the realm where many houses rest uninhabited," and no new building was to be erected within three miles of the City gates, and only one family to reside in a house. This was followed by an Act, (31 Eliz.), that no cottage should be built without the addition of four acres of land, under a penalty of £10, and no lodger be taken into a cottage under a penalty of 10s. a month. The Star Chamber in 1609 ordered this statute to be put into execution, and the visitations of the plague drew from the College of Physicians in 1637 a report to the Council, which among other things pointed out the unwholesomeness of over-crowding in houses, and this was followed on the 12 Aug., 1638 by a Commission of Inquiry as to the infringements of the law, and the Sheriffs of London and Middlesex were to destroy certain houses which had been built on new foundations contrary to the prohibition. And the Star Chamber also ordered that if landlords divided their tenements and let them to poor impotent

persons, such persons might occupy them for their lives *rent free*, and on their death, the tenements were to be *rented down*!¹

In 1637, the year in which Bastwick, Burton, and Prynne were sentenced, the Court made the decree (11 July 1637) respecting books and printing. It imposed restrictions on the importation and sale of books, upon type founders, printers, merchants, and masters of ships, carpenters and smiths employed in making presses, &c.; it prohibited any "haberdasher of small wares, "ironmonger, chandler, shopkeeper," or any person not having served an apprenticeship to a bookseller to receive, buy or sell any "bibles, testaments, psalm books, primers, abcees, almanacks," or other books, upon pain of punishment by the Star Chamber or High Commission—it appointed 20 persons by name to have printing presses, and four persons to be letter founders. And it forbade any merchant, &c. to open any packs of books from abroad, before the Abp. of Canterbury or the Bp. of London had appointed their chaplain or some other learned man, to be present at the opening thereof, that all seditious, schismatical or offensive books might be seized. This decree was followed by Orders of Parliament, and occasioned Milton's "*Areopagitica*," which was written, he says, "in order to deliver the press from "the restraints with which it was incumbered, that the power of "determining what was true and what was false, what ought to "be published and what to be suppressed, might no longer be "intrusted to a few illiterate and illiberal individuals, who "refused their sanction to any work which contained views or "sentiments at all above the level of the vulgar superstition."²

One more subject must be noticed—that of the "salt-petre men." These men were appointed with great powers to search for salt-petre for the manufacture of gunpowder. Before the discovery and importation of rough nitre from the East Indies, the supply for the manufacture of gunpowder was very inadequate. Charles I. therefore, issued a proclamation that no dove-house or stable should be paved, but lie open for the increase of salt-petre, and that none should hinder any *salt-petre-man* from digging for salt-petre; great annoyance was caused by this absurd system, and in 1627, another proclamation was issued, stating that a patent had been granted to Sir John Brooke, and Thomas Russell, Esq., for manufacturing the article, and the King's subjects are commanded to keep all human urine during the year, and as much of that of beasts as could be saved, to be collected by the patentees once in twenty-four hours in

¹ In 1637, the Vicar and others of Greenwich asked the benefit of the Decree and prayed that "persons living in Greenwich and having trades in London may be constrained not to go to and from, as Thes. Paternoster, a broker and John Grover, a brewer, often do."

² The decree and orders, with Milton's "*Areopagitica*," have just been reprinted by Mr. Arber at the marvellously low price of sixpence.

summer, and once in forty-eight hours in winter. The system failed; and thereupon, a Commission was granted to the Duke of Buckingham and others to break open and work for salt-petre. In 1634, another proclamation issued, giving powers, but excepting the houses, &c., of *persons of quality*. The salt-petre men "committed great abuses of their authority, digging in dove-houses, stalls, barns, malting floors, in shops, bedchambers, "placing their tubs by the bedsides of old and impotent sick," "with so much barbarous cruelty to their persons and their goods, and with so base and uncivil language, as is hard to be believed any could have done that professed themselves christians, or had been bred in a civil Government." (State Papers, vol. 165, No. 38.) Several of these men were punished, but during the Commonwealth, an Act passed, "that none shall dig within the "houses, &c. of any person without their leave."

The documents at the Rolls Record Office will disclose further particulars of this Court, and they are now in course of examination, but as they will probably be published in the Domestic Series year by year, and some years must elapse before the whole can be fully published, it has not been thought advisable to wait for these particulars, but to send forth this collection as a companion to the notices of the High Commission.¹

It must therefore be borne in mind that the suits in this Court may be counted by thousands and that the following pages contain but a small proportion of them—the reader therefore desiring further particulars of suits in the reigns of Henry VII., Edward, Mary, and Elizabeth, must refer to the Bundles of Proceedings already referred to whenever they may be arranged and indexed for public inspection.

Information about the Star Chamber is continually "cropping up," and this must be the excuse that much that should have been inserted in its proper place, is to be found in the Appendix. Indeed it was not until the first Appendix was printed that the volume at the University Library at Cambridge was discovered, and the publication of these pages was delayed until the contents of that volume could be examined and the particulars communicated. The copious Indexes will however in some measure compensate for this irregularity.

After occasional authorship for the last forty years, I now take leave of my kind Friends and Readers.

JOHN S. BURN.

The Grove, Henley-on-Thames,
4 March, 1870.

¹ The official publication of Star Chamber proceedings is likely to be still further delayed in consequence of the recent and sudden death of Mr. Bruce, whose volumes of the Domestic Series up to 1637 have been perused from year to year with so much interest.

THE STAR CHAMBER.

THE origin of this famous Court has been the subject of much discussion. It has been said to date from the Statute of the 3rd Henry VII., yet in Sir Stephen Proctor's case in 1614, the Chief Justices Sir Edward Coke¹ and Lord Hobart solemnly declared in open court that that Statute "extendeth not any way to this Court" of Star Chamber. Lord Hale, Sir Thomas Smith, and other "Ancients" of the Law have also recorded their opinions, which in our own time have been considered by Hallam in his Constitutional History, and who acknowledges "the difficulty of determining at what time the jurisdiction legally vested in this new Court."

It would therefore be presumptuous here to offer the writer's views on so debateable a point, since they might differ from those of the great Lawyers, who practised in the Star Chamber, and lived some two or three centuries nearer to the first Establishment of that Court, whenever that may have been.

It would be more deferential to these writers, to present to the reader something of what they have said and written on the subject, that he may draw his own conclusions, and the more because the object of these pages is not so much to determine the origin and authority of the Court, as to record its acts, its cruelties, its extortions, and its final abolition.

¹ Sir Edward Coke sat as a Judge in the Star Chamber where he lent the authority of his character for legal knowledge, to strain the power of that Court to the utmost, and it was natural for him to support the proceedings of the Judge in his writings. Brodie says that Sir Edward cites 15 cases to shew the antiquity of the Court, but 9 of them are quite inapplicable, and refers to Prynne's *Animad.* on the 4th Institute, p. 419. Had such a Court existed, Sir John Fortescue could not have failed to allude to it in his *De Laudibus Legum Angliae* written about 1470.

The first notice will be of the statute of 3d Hen. VII. which Lord Andover, in 1640, stated to be the Infancy of the Star Chamber.¹

STATUTE 3RD HEN. VII. CAP. 1.

"THE AUTHORITY OF THE STAR CHAMBER."

"*First*.—The King, our said Sovereign Lord, remembereth how by unlawful maintenances, giving of Liveries, Signs, and Tokens, and Retainers by indentures, promises, oaths, writings or otherwise, Embraceries of his Subjects, untrue demeanings of Sheriffs in making of panels, and other untrue returns, by taking of money by Juries, by great Riots, and

¹ In a case in the Star Chamber (Mich. 1 Jac.) as to the punishment for perjury in the Ecclesiastical Court, the reporter has the following:—"Nota that in this cause was much spoken for the dignity and antiquity of the Court, and many cases cited out of the "Yeares" to prove the antiquity *before Hen. VII.** The occasion was, because Mr. Richardson, of Lincoln's Inn, made question upon the case of 7th and 8th Eliz. (Onslow's Case in Dier) whether perjury were punishable in Star Chamber before the Stat: of 5th Eliz., for which he was sharply reproved by the whole Court." (Lansdowne MS, No. 639.)

In a case (Mich. 4 Jac.) Egerton said he remembered in Sir Nicholas Bacon's time, that a Demurrer was put into the Star Chamber unto a Bill, for that the Bill was for other offences than were contained in the Statutes of 1st and 3rd Hen. VII., to which Serjeant Lovelace, (being then a young man), put his hand, and was sharply reproved. His excuse was that Mr. Plowden had put his hand unto it, and he supposed he might, in anything, "follow St. Austen," (Lansd. 639). It would therefore seem that Lord Andover had the learned Plowden for an authority.

The Earl of Leicester v. Heydon—Council cited the last case in 8th Hen. VII., concerning the Court of the Star Chamber in which the Act of 3rd Hen. VII. cap. 8. is recited, and then it was held that none is a judge but the chancellor, treasurer, and keeper of the Privy Seal, or two of them, and the others are but assistants and aidants, and not judges; but the justices then held that it was error if the chancellor, treasurer, and keeper of the Privy Seal, or two of them, did not call the others, for the number limited by the Act must be observed. Plowden, p. 393.

*Lombarde considers the Stat: of Henry VII, "an additament" to the power of the Council, and so it was no doubt. Lombard, however, acknowledges he had his information from Mill, a clerk of the Court, and we find that Mill (as well as Coke), was as an officer, prejudiced in favour of the antiquity of the Court. In the Hargrave MS. 216, we find him stating (in a contention in 1590 with the attornies of the Court) that they who limit the antiquity of the Court to the statute of Henry VII ought not to remain in it. Hudson also censures Lord Bacon because in common with other authorities he ascribed the institution of the Court *partly* to the statute.—Plowden, p. 393.

unlawful assemblies,—the policy and good rule of this realm is almost subdued. *It is ordained* that the chancellor and treasurer of England for the time being, and the keeper of the King's Privy Seal, or two of them, calling to them a Bishop and a temporal Lord of the King's most honourable Council, and the two Chief Justices of the King's Bench and Common Pleas for the time being, or other two Justices in their absence, upon Bill or Information put to the said Chancellor, for the King or any other against any person for any misbehaviour afore rehearsed, have authority to call before them by Writ or by *Privy Seal*, the said Misdoers, and them to punish as if convicted according to Law."

This then is the Statute which is said to be the first Institution of this Court, and the members of which Court usually sat in the Chamber of Stars.

The "Discourse" which is about to be given, is extracted from Rushworth's Collections. He does not state who the author of it is, but only that he was a person well acquainted with the proceedings of the Court. Upon referring, however, to the Lansdowne MSS in the British Museum, the MS from which Rushworth compiled his discourse is found, together with other particulars.

The Lansdowne MS. No. 905 contains a Treatise on the Star Chamber, it has 23 "considerations" or subjects, with an index, the whole comprising 40 pages, but it is imperfect at the end.

No. 254 (Article II.) contains also "a Treatise off the Highe Courte off Starr Chamber." It is, however, only a very fair copy of a *portion* of the Treatise in 905; it occupies 47 pages and ends with "Finis partis primæ."

No. 232 also contains an Article on the Star Chamber "copied from a book lent the writer, by Mr. Serjt. Leys," and may be the same as No. 254.

The Lansdowne MS. No. 639 is a compilation of Cases in the Star Chamber, with the addition of various points of practice, in which the writer speaks of the arguments he used, and the cases he quoted, in proceedings in this Court. At page 196 where he uses the word "my," there is a note that the writer was Wm. Hudson, Esq., a practiser in this

Court "who compiled the manuscript now in many hands, "touching this Court, which is divided into three books and "those into several considerations. He presented it to the "Lord Bishop of Lincoln at his first coming to the Seals." He died in December 1635. Brodie calls him "The much bepraised by Lord Mansfield."

Mr. Bruce, (Arch. Vol. 25.), thinks that the MS. No. 1226 is the best copy of this Treatise—it is in the hand-writing of Christopher Hudson, the author's son, and was by him presented to Lord Keeper Finch in 1635. The Treatise was published by Mr. Hargreave in his *Collectanea Juridica*, (Vol. II. p. 1.) but apparently not from a very correct MS.

No. 4130 Harl. MSS., has also a Copy of the Treatise.

"The Discourse" is introduced here, as it sufficiently comprises the principal points of Hudson's Treatise.

A DISCOURSE

CONCERNING THE HIGH COURT OF STAR CHAMBER.

Upon occasion of the exemplary punishment of Mr. Pryne about his *Histrio Mastix*, anno, 1633, and of his losing his ears a *second* time, anno 1637, it will not be unseasonable to deliver something of the nature and prerogative of that Court which inflicted it, viz: The High Court of Star Chamber, being an Abstract of a Treatise written by a person well acquainted with the proceedings of the same.

There is little mention made of this Court either in Reports or Treatises of the Law, except now and then dispersedly in some one or two causes in an age, where it is mentioned rather as it seemeth, to manifest to posterity that there was such a Court, than to enlighten the world, with the lawful power, authority, and jurisdiction thereof.

Only Sir Thomas Smith in his *Commonwealth* hath glanced upon it, and Mr. Lambert, the ancient antiquary, treateth of the power and jurisdiction of it, and Mr. Crumpton hath collected many particulars, cases then properly examin-

able, (sic in orig.); and the reason probably why the learned of the laws did, in their reports, forbear to make mention thereof, was, because it intrenched in those days, as of late time, too much upon the Common Law of England; and the abuse in the exercise of the jurisdiction of the Court might induce the sages of the law to pass it over in silence, as an Usurpation of Monarchy upon the Common Law of England, in the prejudice of the liberty of the subject, granted by the Great Charter.

And without peradventure, those good laws made in Edwd. III time, to preserve the liberty of the subject, were chiefly grounded upon the unlimited power which this Court did then take to itself.

In our ancient Year Books, it is called *Camera stellata*, not because the Chamber, where the Court is kept, is adorned with Stars, but because it is the seat of the *Great Court*, and the name is given according to the nature of the Judges thereof: *Denominatio* being a *præstantiori* and *majus dignum trahit ad se minus*. And it may be so fitly called, because the *Stars* (in the common opinion) have no light, but that which is cast upon them from the Sun by reflection, it being a representative body; and as King James was pleased to say when he sat there in his Royal Person, "Representation must needs cease when the person is present."

So in the presence of his Majesty, which is the Sun of Honour and Glory, the shining of those Stars is put out, not having any power to pronounce any sentence in this Court, (for the judgment is the King's only), but by way of advice to deliver their opinions, which his wisdom alloweth or disalloweth, increaseth or abateth, at his royal pleasure; which was performed by King James, even like unto Solomon's wisdom, in the great case of the Countess of Exeter against Sir Thos. Lake, wherein his Majesty sat five continued days in a Chair of State, elevated above the Table, about which His Lords sat, and after a long and patient hearing, and the opinions particularly of his Great Council, he pronounced a sentence more accurately, eloquently, judicially, grave and honourably, more just, to the satisfaction of all hearers, and all lovers of justice, than all the records extant in this Kingdom can declare to have been done by any of his royal Progenitors. There is no man will deny that in all

Monarchies, the King is the fountain of all Justice, to whom is the first refuge for those that are distressed, and the last to whom Appeals are to be made.

And *Bracton*, Father of our Laws, (who wrote in the reign of King Henry the 3rd), doth agree it to be the Law of England.

And Britton, (who wrote in Edward the 1st time), beginneth his Treatise to the same purpose, and concludeth writing in the King's name: *We will that our own Jurisdiction* be above all Jurisdictions *in all cases real and personal*. Admitting then the King to be supreme Judge of all, and sitting in his Throne of Majesty with his wise men and sages, distributing Justice in his Royal Person, or by his Council, hath found himself and them overcharged, and hath therefore committed his pleas of the Crown to certain Judges, matters of Common right to other Justices, and to others, the affairs of his Revenue; all which, before they were distributed to others, were more properly determinable before himself and his Council.

And therefore it is plain that this Court was not founded by Act of Parliament in Henry the 7th time. And it was solemnly adjudged by the Chief Justices of England, Sir Edward Coke and the Lord Hobert, attended by the King's learned Counsel, in the case between the Earl of Northumberland and Sir Stephen Proctor, published in open Court, that the Statute of 3d Hen. VII., extendeth not any way to this Court. But the Lords authorized by the Act, may at all times, in all places, determine of the matters therein specified, 28 Ass. page 52. *Coram nobis et Concilio* is resolved to be *Coram Rege in Camera*, which hath been so often affirmed by the Reverend Judge Sir Edw. Coke.

In the ancient Laws of England we read of three Councils, Commune Concilium, Magnum Concilium, and Privatum Concilium.

For the *first*—In all our Writs founded upon any ancient Statute Law, the Writ beginneth "*Cum per Commune Concilium Regis nostri provisum*,"—by which it plainly appeareth that "*Commune Concilium*," is the assembly of the Lords Spiritual and Temporal, and the Commons in Parliament.

For the *Second*—And that there is “Magnum Concilium Angliæ,” it appears by the Statutes 32 E. III. cap. 18, That false informers shall be brought before the Chancellor, Treasurer, and great Council, to find Sureties to endure pænā talionis, if their suggestions were false. And all the Statutes made after that Act of 37 as well as of Richard II., of Complaints before the Council, as of 13 H. 4. cap. 7, for certifying Riots to the King and his Council, is intended His great Council, which is the Court of STAR CHAMBER, afterwards by express name called, “The King’s Council in¹ the Star Chamber,” 19 H. 7. cap. 18. In the Statute 33 H. 8. cap. 1, for false tokens; 4 and 5 of Phillip & Mary for secret contracting with young Maidens, and divers subsequent Acts of Parliament.

The *third*—which is PRIVATUM CONCILIUM, or the Council of State mentioned in the Acts of Eliz. 1. It hath been questioned whether it were all one with the Great Council? Surely there is none of the Privy Council, but is also of the Great Council, but perhaps some may be of the Great Council which are not of the Privy Council.

It was a glorious sight upon a Star-day, when the Knights of the Garter appear with the Stars on their garments, and the Judges in their scarlet, and in that posture they have sat sometimes from 9 in the morning till 5 in the afternoon, before every one had done speaking their minds in the Cause that was before them. And it was usual for those that came to be Auditors at the Sentence given in weighty Causes, to be there by 3 in the morning to get convenient places and standing.

The Warden of the Fleet, or his Deputy (then by name Mr. Ingram), in those days was constantly attending in Court to receive their Lordships’ commands as there was occasion.

For the dignity of this Court, I find, it is said, that since the great Roman Senate, so famous to all ages, as that they were called *pro Jure miraculum Orbis*, there hath no Court come so near them, in State, Honour and Judicature; the

¹ This word is noticed as shewing that it was the Ordinary Council Meeting in the Chamber of Stars.

Judges of this Court, being surely in Honour, State and Learning, for Understanding, Justice, Piety and Mercy, equal, and in many of them exceeding the Roman Senate, by so much as Christian Knowledge exceedeth human Learning.

Nor hath this Court at any time wanted a Cicero or Hortensius to make a defence for such as are there accused ; nor is there any bar of pleading, which affordeth so large a scope to exercise a good orator, the usual subject being the defence of Honour and Honesty. But Chancellor Ellesmere affecting matter rather than words, tied the same to laconical brevity, an honour to a Court of Justice, to be swayed rather by ponderous reasons, than fluent and deceitful speech.

It is not the least honour and dignity to this Court, that the sentences and judgments of the same are not the opinion of any private person, but the judgment of many noble, wise and learned men conjoined together ; so that it is a Topic Rule for assurance of Truth.

Another manifestation of the dignity of it is, that the proceedings are *tam lento pede*, without precipitation but giving time to the defendant to defend or excuse himself, both in producing testimony, and in making defence at the bar. And that it taketh hold in judgment only of direct proofs, speaking circumstances, or more than probable presumptions, and these not single but double, which causeth the judgment thereof to be esteemed worthily, like the Laws of the Medes and Persians, irrevocable. Besides the reasons of the sentence being succinctly collected and knit together, and sagely delivered by grave, learned and notable personages, whose very countenances add weight to their words, and who tie themselves to certainty, and not to conjectural proofs.

The Lord Chancellor or Keeper, (for their places by Act of Parliament are all one), have divers privileges of Sovereignty belonging to them, as the supreme judge there, which surely doth belong in his absence to him who holdeth the supreme place in that Council.

There is no doubt but the Lord Chancellor or Lord Keeper of the Great Seal is the supreme Director of the High Court. For whereas any other Lord of the presence speaketh not in the Court unless his head be uncovered, the Lord Chancellor

or Lord Keeper speaketh with his head covered, as a person to whom all the rest owe a kind of respect or reverence. And all dukes and marquesses, earls, barons, and council of state in the kingdom, attend the hour and occasion of this great Lord's going to sit in this High Court: and at his own discretion, he commandeth the Chief Justice or any other Judge to sit there at his pleasure.

Besides, this great Lord is the mouth of the Court to give rule or order, and hath a great prerogative in that sense, above all other courts at Westminster. For in other Courts, if the opinions be equally divided two one way, and two another way, there is no judgment entered. But in this Court, if the presence be equally divided, the Lord Chancellor or the Lord Keeper's voice swayeth it one way or other.

It seemeth to be an Imitation of the High Court of Parliament; for there in equality of voice,—the Speaker's Voice is predominant. If the Lord Chancellor or Lord Keeper condemn or fine the defendant or plaintiff, then hath it ever been undoubted; for that in things indifferent the best for the King's profit is to be taken, but where his voice in equality acquitteth, yet the pre-eminence of his judgment, weigheth down the King's profit, and the person shall stand acquitted. For so Sir Stephen Proctor was acquitted by the voice of Chancellor Ellesmere; and so it was resolved by the Judges, upon reference made to them, and their opinions after deliberate hearing, and view of former precedents, was published in open Court.

This Court for the most part is replenished with dukes, marquesses, earls, barons, also with reverend arch-bishops and prelates,¹ grave councillors of state, learned judges, such a composition for justice, religion, and government as may be well and truly said, (whilst so great a presence kept within their bounds), mercy and truth were met together. Their number in the reign of Hen. VII. and Hen. VIII. have been near 40 at one time, and 30 in the reign of Eliz.—oft-times since much lessened. In King Charles's time there hath been 24 and 26 at a time, as in the cases of Mr. Chambers, Sir James Bagg, the Bishop of Lincoln, and others.

¹ Laud, in his answer to Lord Say and Sele, stated that the Bishops sat in the Court of the Star Chamber and of the High Commission.

Archbishop Whitgift did constantly in this Court maintain the liberty of the *Free Charter* that none ought to be fined but *salvo contentimento*. He seldom gave any sentence but therein did mitigate in something the acrimony of those that spake before him; but the slavish punishment of whipping, &c., was not heard to come from the noble spirits in those times sitting in that honourable presence.

When once this Court began to swell big, and was delighted with blood, which sprung out of the ears and shoulders of the punished, and nothing would satisfy the revenge of some clergymen, but cropt ears, slit noses, branded faces, whipt backs, gag'd mouths, and with all to be thrown into dungeons, and some to be banished, not only from their native country to remote islands, but by order of that Court to be separated from wife and children, who were by their order not permitted to come near the prison, where their husbands lay in misery; *then began the English Nation to lay to heart the slavish condition they were like to come unto, if this Court continued in its greatness.*

Thus ends the 'Discourse,' commenced with high sounding descriptions of the pre-eminence, wisdom, and glory of that Starry Court, but concluding with the oppression, bloodshed, and misery which beclouded its later years, and which eventually hurled it from its pre-eminence, never more to rise.

Sir Thos. Smith, in his "Commonwealth of England"¹ has the following description of this Court—

"There is yet in England another Court, of the which, that I can understand, there is not the like in any other country. In the Terme time every week once at the least (which is commonly on Fridays and Wednesdays and the next day after that the Term doth end), the Lord Chancellor and the Lords and other of the Privy Council, so many as will, and other Lords and Barons which be not of the Privy Council, and be in the Town, and the Judges of England, specially the two chief judges, from nine of the clock until it be eleven, do sit in a place which is called the Star Chamber, either

¹ The Commonwealth of England, and the manner of the Government thereof. By the Honourable Sir Thos. Smith—4to Lond. 1609.

because it is full of windows, or because at the first all the roof thereof was decked with images of stars gilded. There is plaints heard of riots, &c. And further because such things are not commonly done by mean men, but such as be of power and force, and be not to be dealt withall of every man, nor of mean gentlemen; if the riot be found and certified to the King's Council, or if otherwise it be complained of, the party is sent for, and he must appear in the Star Chamber, seeing (except the presence of the King only), as it were the majesty of the whole realm before him, being never so stout, he will be abashed and being called to answer (as he must come of what degree soever he be), he shall be so charged, with such gravity, with such reason and remonstrance, and of those chief personages of England, one after another handling him on that sort, that what courage soever he hath, his heart will fall to the ground, and so much the more, when if he make not his answers the better, as seldom he can, so in open violence he shall be commanded to the Fleete, where he shall be kept in prison in such sort as these judges shall appoint him, lie there till he be weary, as well of the restraint of his liberty, as of the great expenses which he must there sustain, and for a time be forgotten, whiles after long suite of his friends, he will be glad to be ordered by reason. Sometime, as his deserts be, he payeth a great fine to the Prince, besides great costs and damages to the party, and yet the matter wherefore he attempted this riot and violence, is remitted to the Common Law. For that is the effect of this Court, to bridle such stout noblemen or gentlemen which would offer wrong by force to any meaner men, and cannot be content to demand or defend the right by order of Law.

"This Court began long before, but took augmentation and authority at that time that Cardinal Wolsey, Archbishop of York, was Chancellor of England, who of some was thought to have first devised that Court, because that he after some intermission by negligence of time, augmented the authority of it, which was at that time marvellous necessary to do, to repress the insolency of the noblemen and gentlemen of the North parts of England, who being far from the King and the Seat of Justice, made almost as it were an ordinary war among themselves, and made their force their law, banding themselves with their tenants and servants to do, or revenge injury, one against another as they listed. This thing

seemed not supportable to the Noble Prince Henry VIII, and sending for them one after another to his Court, to answer before the persons before named, after they had remonstrance shewed them of their evil demeanour, and been well disciplined as well by words, as by *fleeting* awhile, and thereby their purse and courage somewhat assuaged, they began to range themselves in order, and to understand that they had a Prince who would rule his subjects by his laws and obedience. Sith that time this Court hath been in more estimation, and is continued to this day in manner as I have said before.

"The Judges of this Court are, the Lord Chancellor, the Lord Treasurer, all of the King's Majesty's Council, the Barons of this Land.

"The Officers are, a Clerk, 3 Attornies, an Examiner, Clerk of Records." ¹

The Court nominated the Counsel who should plead before them. Hudson, 1026.

There was a tyme when there grewe a controversie between the Star Chamber and the King's Bench for their jurisdiction in a case of perjury concerning Tythes. Sir Nicholas Bacon that most grave and worthy counsellor, then being Lord Keeper of the Great Seal of England, and Sir Robt. Cattelyn then Lord Chief Justice of the Bench. To the deciding whereof were called by the plaintiff and defendant a great number of the learned Counsellors of the Law; they were called into the Inner Star Chamber after dynner, when, before the Lords of the Council, they argued the cause on both sides, but could not find the Court of greater antiquity by all their bookes, then Henry the 7th ² and Richard the 3rd." (Hargrave, MS., No. 216.)

¹ Rymer, vol. 18, p. 192, has "a note of all causes which the most honourable Courte of Star Chamber at Westminster doth from tyme to tyme heere and determyne, together with the manner and forme of the proceedings in the same causes as well by processe as other ways." The Bill is to be on parchment, signed by a learned man—all affidavits Commissions, Orders and Decrees are to be registered and entered into a faire booke called "*The Booke of Acts*."

[Brodie says that this note drawn up temp. Car. I. ascribes the jurisdiction of the Court to the Statute of Henry VII.]

² So also says Francis Tate in his Discourse on the Star Chamber, in Hearne's curious Discourses, 2 vols., Lond. 1771, p. 277.

Brodie says of this Court, "After Elizabeth, it assumed a bolder tone, till it even disowned its origin. The whole Privy Council arrogated the right of sitting there in judgment, and the question was no longer what the Statutes allowed, but what the Council in former times had done—having once adopted the principle of precedent, it no longer submitted to any check upon its proceedings. Every act of the Council in the worst times was raked up, though so many statutes were devised against such proceedings—cases were grossly misrepresented—strained analogies were resorted to, and where no shadow of a precedent could be discovered, *ingenuity could invent*,¹ a proceeding the more simple, *as no regular record was kept*, while every abominable recent case was held to be conclusive in all future ones."

Mr. Bruce, in his able article in the *Archæologia* (vol. 25), says that in the exercise of their judicial authority, the Court held their Sittings in a Chamber of the Palace at Westminster, known as the Council Chamber near the Exchequer, (Rot. Parl. 2, 154), and the "Chambre des Estoyers"² or Estoilles near the Receipt of the Exchequer. (Lambard's *Archion*, 177). This Chamber is said to have been situated in the outermost quadrangle of the palace, next the bank of the river, and was consequently easily accessible to the suitors, (Quar. Rev. 63, p. 107). The occupation of the "Chambre des Estoilles," or Star Chamber by the Council,

¹ or ingenuity invented.

² Blackstone suggests that the name was derived from a repository for Deeds, &c., relating to the Jews, and called Starr or *Shetar* and which was near to the Star Chamber; he cites a Record of 41 E. III., that the King's Council, his Chancellor, Treasurer, Justices, and other Sages were assembled "en la chambre des estoilles pres la rescript al Westminster." Vol. 4, p. 266. Before the banishment of the Jews under Edw. I., their contracts and obligations were denominated in our ancient records *starra* or *starrs*, from a corruption of the Hebrew word *shetar*, a covenant. These stars by an ordinance of Richard I. preserved by Hoveden, were commanded to be enrolled and deposited in chests, under 3 keys, in certain places, one, and the most considerable of which, was in the King's Exchequer; this room was probably called the starr chamber, and when the Jews were expelled, the room was applied to the use of the King's Council sitting in their judicial capacity. In confirmation of this, the first time the Star Chamber is mentioned, it is said to have been situated near the receipt of the Exchequer at Westminster. In process of time when the jewish *stars* were forgotten, the word Star Chamber was naturally rendered in law French, "*Le Chambre des Estoilles*,"³ and in law latin, *Camera Stellata*, which continued to be the style in Latin till the dissolution of that Court. Lamb. Arch.—Blackstone, Vol. 4.

can be traced from the reign of Edw. III., but no specific mention of the Star Chamber *as a Court of Justice* can be found, I believe, earlier than the reign of Hen. VII."

Echard calls the Star Chamber Court the glory of the Nation, but Oldmixon says, "Osborn, a gentleman of good observation and judgment who lived in the best days of the Star Chamber Court, when other sort of men than Weston, Cottington, Windebank, Conway, Jermyn, Finch, &c., sat there, writes thus of it—"The Earl of Northumberland was cast into the sea of the Star Chamber, that Den of Arbitrary Justice, where the king for the time being, two bishops, two judges, and as many *wise* lords, and *honest* great officers sate, as were pleased to come. The most of whom though unable to render a reason, every Wednesday and Friday in term time concur, &c., to tear such as refuse to worship the minion and to yield to the Prerogative Royal,—as much as the Historian praises this rare court at this extraordinary juncture, he owns that the bishops' sufferings were a special cause of its suppression." ¹

In noticing the King's Ordinary Council, Hallam says, it was something different from the Privy Council with which several modern writers are apt to confound it; that is, the court of jurisdiction is to be distinguished from the deliberative body, the advisers of the crown. Every Privy Counsellor belonged to the Concilium Ordinarium; but the chief justices and perhaps several others who sat in the latter (not to mention all temporal and spiritual peers, who, in the opinion at least of some had a right of suffrage therein) were not necessarily of the former body. ² This cannot be called in question without either charging Lord Coke, Lord Hale, and other writers on the subject, with ignorance of what existed in their own age, or gratuitously supposing that an entirely novel tribunal sprung up in the 16th century under the name of the Star Chamber. p. 67.

The illegal and arbitrary jurisdiction exercised by the Council, which, in despite of several positive statutes, continued in a greater or less degree through all the period of the Plan-

¹ Oldmixon, p. 133.

² Hale's Jurisdiction of the Lords' House, p. 5—Coke 4th Ind. 65.

tagenet Family, to deprive the subject in many criminal charges of that sacred privilege, trial by his peers. This usurped jurisdiction, carried much farther and exercised more vigorously, was the principal grievance under the Tudors, and the forced submission of our forefathers was chiefly owing to the terrors of a tribunal which left them secure from no infliction but public execution or actual dispossession of their freeholds. Hallam, Vol. 1, p. 65.

By the 21 H. 8, cap. 20, the President of the Council was added to the Judges of the Court, but in neither statute is it called the Star Chamber; "It is very difficult, I believe, to determine at what time the Jurisdiction legally vested in this new Court, (and still exercised by it forty years afterwards), fell silently into the hands of the body of the Council and was extended by them so far beyond the boundaries, assigned by Law, under the appellation of the Court of the Star Chamber." p. 70.

The Statute of Wills brought many causes to this Court. Lord Egerton used to tell an anecdote illustrative of the frauds which were committed: "a Friar coming to visit a great man in his sickness who could only speak some one syllable, 'yea' or 'nay,' demanded of him; "Will you give such a piece of land to our house to pray for your soul!" The dying man sounded, 'yea.' "Will you give such land to the maintenance of lights to our lady?" The sound was again 'yea.' The son and heir standing by and seeing his land going so fast away, said "Shall I take a cudgel and beat this Friar out of the chamber?" The answer again was 'yea,' which the son quickly performed and so saved to himself his father's lands. Harl. MSS., No. 1226.

This Court appears to have continued its functions during the several Reigns from Henry VII. to Charles II., but very few notices of its proceedings are found during the reign of Edw. VI.

In 1639, the storm that was to destroy this Court and the Court of High Commission, was beginning to threaten. Abp. Laud, an active judge in both courts, was sent to the Tower. Lord Chancellor Finch, another active member, took fright and went off in disguise to the Coast, and reached the Hague on the last day of 1639. Sir Francis Windebank

one of the secretaries of State and a member of this Court, was impeached in Parliament, and made a very hazardous passage to Calais in an open shallop, while the escape of Wren, Bp. of Ely, was prevented by the House of Lords.¹

The little Wren that soar'd so high
Thought on his wings away to fly
Like *Finch*, I know not whither:
But the subtle and whirly *Wind-*
debank hath left the Bird behind;
You two must flock together.

A Bishop's head, a Deputy brest,
A *Finch's* tongue, a *Wren* from's nest,
Will set the Devil on foot,
He's like to have a dainty dish,
At once both flesh and fowl and fish,
With *Duck* and *Lamb* to boot.²

Lord Andover in his Speech in the House of Peers in 1640 after noticing the Statute of 3 Hen. VII., said that this was the Infancy of the Star Chamber, but that afterwards it was raised to Man's Estate, by Cardinal Wolsey, 8 Hen. VIII; "from whence (being now altogether unlimited) it is grown a monster, and will hourly produce worse effects unless it be reduced by that hand that laid the foundation." He goes on to notice the great Eclipse it hath ever been to the whole Nobility, for who are so frequently vexed there as peers and

¹ In 1629 he was appointed Judge of the Star Chamber for foreign causes, and on his return from Scotland, Clerk of the Closet to the King. In 1634 Bp. of Hereford; 1635, Bp. of Norwich, (where he was very unpopular); and in 1638, Bp. of Ely. He died at Ely House, 24th April, 1667, in his 82nd year.

In December, 1640, the day after the impeachment of Laud, Hampden was sent by the Commons with a message to the Lords, that the Commons had received information of a very high nature against the Bp. of Ely, (Matthew Wren), for setting up Idolatry and Superstition, and hearing that he was endeavouring to escape out of the kingdom, requested that some security should be taken for his forthcoming. The Lords accordingly fixed his bail at £10,000, and on the 6th July, 1641, he was impeached of high crimes and misdemeanours, and committed to the Tower where he remained 18 years. Wren was of a most intolerant spirit: no prelate's name occurs oftener in the accounts of the prosecutions of the puritans. He resembled Laud in many respects and narrowly escaped his fate. (Chalmer's Biog.)

²Laud, Windebank, Bp. of Ely, Fish the proctor, Dr. Duck, and Sir John Lambe—all members of, or practising in, the Star Chamber and High Commission.

noblemen? and notwithstanding their appeal to this assembly is ever good, whilst that famous Law of the 4th E. III. remains in force for the holding of a Parliament once a year or more, if occasion require, yet who durst a year ago mention such a Statute, without the incurring the danger of Mr. Kilvert's¹ persecution?

Lord Clarendon says that in this Parliament (1640) he who expressed the most warmth against the Court and the Government, was heard with the most favour. They caused petitions to be every day presented by some who had been grieved by any severe sentences in the Star Chamber, upon which petitions, all the acts, how formal and judicial so ever, were voted to be illegal and against the liberty and property of the subject, and that all who were guilty of such proceedings should be prosecuted for their presumption, and should likewise pay damages to the persons injured, p. 181: so all privy councillors, as well for what they had done at the board, as in the Star Chamber (where indeed many notable sentences had passed, with some excess in the punishment), found themselves liable to be proceeded against, and "all persons imprisoned for sedition by the Star Chamber, were set at liberty that they might prosecute their appeals to Parliament."

SIR FRANCIS WINDEBANK.

He was a member of Parliament, and being present in the House, he was ordered to withdraw. This order he complied with and immediately took flight, crossing the Channel to Calais about January 1640 in an open shallop.

The King's dapper Scrivener waded too deep,
Do Statesmen use to play at Bo-peep? ²
He broke his word, his fan and his sleep,
And almost his neck, his head to keep.

¹ This Individual will be noticed in a subsequent page.

² It is not clear what this reference to Bo-peep is—it is again used in a Song of the Year 1640 called "Gramercy good Scot—"

"To play Bo-peep now our Catholics strive."

No way to o'ertake the Knight of the post,
That spite of the Cooke¹ would rule the rost.
But they say he's o'eturn'd with a trip of the heel
And dances a Galliard in the Bastile.

On his arrival he wrote to Lord Chamberlain of his hazardous passage, that he had "become a scorn and a by word to all the world," and asking assistance for his wife and children, as he and his father had served the Crown near 80 years.²

The charges against him in Parliament were that he had given 74 letters of grace to Recusants—had discharged 64 priests, and 29 of them verbally.³

A pamphlet called "Time's Alteration" has an engraving of Lord Finch and Windebank—the former with wings, and underneath,

That I have wronged the Land, I now repent,
But who the Devil thought of the Parliament.

And under Windebank,

Beware you false Traitors that are left behind,
'Tis best for you to sail by Windebank's wind.

Then follows their Dialogue,—

Finch.—I pray you, what is become of the oath *ex officio* and "*&c.*"?⁴

Wind.—Faith! they have been sworn so often, that they are sworn out of fashion with your Civil Lawyers.

Finch.—What is likely to become of the Civilians?

Wind.—Faith! the *Duck's* wings will be pluck't, and *Lamb* begins to be out of season.

¹ The other Secretary of State.

² Harl. MSS, 1219, p. 353. In 1631 he was clerk of the Signet. His father, Sir Thos. Windebank was employed about the Court. In a note, he says he first had access to the King in 1611. S. P. O.

³ Windebank took a very active part in the proceedings of the Court of Star Chamber, either as one of the secretaries of State or as a member of that Court. He was no doubt a great friend of Laud, for in early life, (1603), he sent to Mr. Andrews a Greeting to his dear friend Mr. Laud. In the State Paper Office, about 1635, are many of his Notes of Cases, and also Lists of Causes to be heard in that Court.

⁴ See my "Notices of the High Commission," p. 58. Laud prescribed an oath to be taken by the Clergy not to consent to any alteration in the Government of the Church by Abps., Bps., Deans, Archdeacons, &c.

Sir Francis Windebank, "of treacherous memory," died at Paris in September 1646. He had two sons—Francis, the younger son was a colonel in the Royal Army, and was tried for cowardice in surrendering Birchingdon House in Oxfordshire to Oliver Cromwell without a blow, and being found guilty, was shot at Broken Hayes, near Oxford, in April 1645. (N. and Q, 1851.)

The Court of High Commission sat as late as the 22nd October 1640, but at present, the last sitting of the Court of Star Chamber, has not been discovered. Now that the Master of the Rolls is yearly issuing his Domestic Series and has reached the year 1636—7; it may be expected that particulars of the last sittings of the Court will be met with in the latter part of the year 1639—that is just previously to the dispersion and flight of Lord Finch and Sir Francis Windebank, and other judges in that Court, as already mentioned.

By the Act of the 17 Car. I., cap. 10., "An Act for the regulating of the Privy Council, and for taking away the Court, commonly called the *Star Chamber*:" it is enacted "that the Court commonly called the *Star Chamber* and all jurisdiction, power, and authority belonging unto, or exercised in the said Court, by any of the judges, officers, or ministers thereof, from the first of August 1641, be absolutely dissolved, and taken away, and determined."¹

¹ When the Bill was brought in for limiting and regulating this Court, it was read a second time and committed:—when it was returned with amendments, it was objected: "That the remedies provided by that Bill were not proportionable to the diseases—that the usurpations of that Court, were not less in the forms of their proceedings, than in the matter upon which they proceeded, insomuch that the course of the Court (which is the rule of their judging) was so much corrupted, that the grievance was as much thereby in those cases of which they had a proper cognizance, as it was by their excess in holding pleas of that in which, in truth, they had no jurisdiction. It was therefore conceived that the proper and most natural cure for that mischief, would be, *utterly to abolish that Court*, which it was very difficult, if not impossible to regulate. The Bill was recommitteed and altered accordingly and brought to the House, read a first time and sent up to the Lords. So this important Bill was never read but once in the House of Commons and was never committed, which, I believe, was never before heard of "in Parliament." Clarendon, vol. 1, 285.

James II. revived the High Commission, which had a short re-existence, but the Star Chamber was never re-established.

THE RECORDS OF THE COURT.

Hudson tells us, that in later times the records were quite neglected, "for that some great men have delivered their opinions that it was no matter whether any pleading remained or not after the cause heard, because the judgment cannot be reversed by error; and causes have upon deliberation, been ordered to proceed to hearing upon copies, the originals being withdrawn by neglect and no care taken to have them engrossed *de novo* and orderly filed. So also the very sentence by which severe punishments have been executed upon offenders, have by more neglect been wholly left unentered, so that there is no record to justify the infliction of the punishment." p. 6. He pretends that in former times, they were regularly kept, but it is evident that he had not inspected any thing of the kind. Harl. MS., No. 736, No. 5 gives the same account of the records. (Brodie 189.)

Camden also states that all the Records were destroyed.¹

Tate also says, "I might afford out of my own time and memory some particularity of example for the most part of those sort of offences drawn into this Court, but because it is odious to commit names to writing, and *I have no sufficient note or warrant out of the Register of the Court* wherewith to shield myself, I choose rather to forbear." (Tate.)

At a much later period (1723), "the State of the Public Records of this Kingdom" was published by order of the House of Lords—it states that "in the Chapter House be-

¹ It was no doubt very desirable for the safety of Laud, Lord Finch, Windebank, and others that these Records should not be produced by their accusers in 1640 to their ruin.

longing to Westminster Abbey, in the cloister, there are vast quantities of common Writs of many reigns confusedly heaped together—a like quantity of the Bills, Answers, Replications, &c. of the dissolved Court of Star Chamber, which was formerly kept by the Usher of the Exchequer, and on the making of the annuity offices in the late reign, were ordered to be put into this Treasury, but have not been digested since. Memorandum, none of the Decrees of the said Court are to be found, the last notice of them (that cou'd be got) was that they were in a house in St. Bartholomew's Close, London." The Report goes on to say that these Records "have lain many years in a very great heap undigested, without any covering from dust, or security from rats and mice."

OFFICERS OF THE COURT.

THE CLERK OF THE STAR CHAMBER.

He was also styled the Clerk of the Council of State, and was intituled to,

	£	s.	d.
Imprimis, from his Majesty by Letters	}	36	13
patents yearly			
Item, two livery gowns, one of damask, and the other of wrought velvet.			4

	H. VI.	Thos. (John) Kent, a Dr. of Laws.
1	H. VII.	John Bladswell, a Dr. of Laws.
6	" "	Robert Ryder, after Bladswell's "deadly sickness."
1	H. VIII.	John Valentine.
1	" "	John Meutis, clerk of the Council and secretary for the French.
4	" "	Richd. Eden, (Thos. Eliot during his sickness.)

- 22 H. VIII. Richd. Eden and Thos. Eden, (on surrender of Richd. Eden's patent.)
- 5 E. VI. Office granted in reversion to Thomas Marsh, Gent., who then bare the Seal before Lord Rich, L.C.—(fell in, in 9th Eliz.)
- * George Christophers, Gent.
- 15 Eliz. Wm. Mills, a friend of Lambarde, the author of Archion, and who enabled Lambarde to write that book.
- Eliz. The learned and eloquent Chancellor, of St. Albans.
- Sir Humphrey May, Chancellor of the Duchy, and Mr. Morley, jointly, who execute by deputy.
1604. Sir Oliver Manvers and Sir Thos. Savage, in reversion after Wm. Mill and Sir Francis Bacon.
1623. Thomas May.
1632. Sir Wm. Morley
(John Pooley).

OTHER OFFICERS OF THE COURT.

1579. John Craven, butler.
1604. Wm. Bowyer, usher of the Receipt Keeper.
- „ Robert Bowyer, door-keeper.
1620. Endymion Porter, collector of fines.¹
1622. Henry Parker, late deputy clerk.

* “Elizabeth gave the office to the Lord Chamberlain in recompence of service, who procured Patents to George Christophers, Gent., who surrendering patents were granted for my long and painful service in the office to me.” (Wm. Mills.)

¹ This office was granted to him in 1620, “with a moiety of the fines he should bring in, which in the medium of the last 7 years, amounts to £743 5s. per annum.”

1623. Thos. May, clerk of the Court.
 „ Thos. Cotton, clerk of the Process.
 1623. Lionel Tydisbourg.
 „ Wm. Molins, clerk of the Records.¹
 „ George Shelleto, Gawen Grosvenor, Matthew Good, and Henry Jones. (q. Messengers.)
 1635. John Cockshutt,² “clerk to Attorney General Noy, and the present attorney general.”
 1636. Thos. Young, examiner for the King’s Causes in the Star Chamber.
 1625. Henry Lyde, usher.
 1632. Matthew Goad, Deputy clerk.
 „ Sir Wm. Uvedale, treasurer.
 1635. Richard Thurrogood, butler.³

Crosse, Keyme, Goldsborough, Watterton, Davis, Pinel, Ayres, Forster, and Pye. These were messengers of the Court in 1638 and were suspended for the delay in the delivery of Writs, &c., concerning *Shipping*.

George Duke held some office in the Star Chamber.

¹ By this return, it appears that the Star Chamber Office was in Gray’s Inn, and Mr. Molins prays that his fees may be increased inasmuch as he had to convey the Records from Gray’s Inn to the Court at Westminster. Tanners, MS., No. 91.

² “The office of clerk having been committed to Deputies, by reason of the Grant made to Sir Wm. Uvedale and others for 3 lives, in trust for Lady May* and her children, and the King resolving to have the place executed by a person of experience in the proceedings of the Court, appoints Cockshutt.” (S.P.O., 1635.)

* Lady May afterwards married Sir Robert Bennett, and in 1660, petitioned Charles II. that if the Star Chamber were not revived, she might have some other assistance. S.P.O.

³ He petitions the Treasury for 2½ years’ arrears of 6d. per diem, due to him by patent.

1629. Wm. Jones, who had lived long in this Court, was a suitor in 1629 for a Fine.

"STEWARD OF THE DIETS.

Sebastian Hillary, from 14th to 26th.
 Richard Browne, „ 28 H. 8 till ulto.
 Wm. Staunton „ ulto. E. vj. to 15 Eliz.
 John Dodington, „ 14 to 27 Eliz. when he died.
 Francisco Guilpin „ 27 to 31 Eliz., when he was removed, (contrary, he says, to the prescription of 70 years), by Jno. Fortescue." Lansd., No. 62.

After the Sitting, the Lords, together with the Clerk of the Council, dined in the Inner Star Chamber, at the public expense. The cost of these dinners seems to have been a matter of consideration with Lord Burleigh, and the gradual increase of the expence, notwithstanding the decrease of the number of persons who attended the Court, is worthy of observation. An account signed by Wolsey and others, and now amongst the Lansdowne, MSS., (No. 1, Art. 49), furnishes a statement of the expence of seventeen dinners given to the Lords of the Council in the year 1509—the whole expence amounted to £35 0s. 5d. which averaged about £2 1s. 2d. for every dinner.¹ Another paper in the same Volume of MSS in the hand-writing of Lord Burleigh (Art. 44) gives the following statements.

Anno: 1559, the ordinary charge of a	}	£4 10s. or £5 9s.
dynar		
1579.....	£8	or £10.
1590 ²	£17	or £18.

It may be interesting to know how the Star Chamber judges regaled themselves, on Flesh and Fish days.

¹ Archæologia, vol. 25. J. Bruce, Esq.

² In 1635 there was a grant of £600 to Rd. Wallis "for Star Chamber Diets," and in the January following £200 more.

	s.	d.
On Friday, the 24 of June 1509, the dinner only cost £1 10s. 7d.—thus, “Bread, Ale, Beer, Wine, Tryng, Blotefish, Pike, Flounders, Soles, Porpesses, Butter and Eggs, Strawberries, Flour, Salt, Herbs, Spices, Pescodds ¹	19	9
Boat hire and washing of the napry	1	3
Wood and Coals	2	0
Cook's Wages	2	4
	<hr/>	<hr/>
	£1	10 7

The Fish Dinner in 1588 came to £16 6s. and the Flesh Dinner to £18 5s. 2d., the 36 dinners that year amounted to £622 1s. 0d.

THE CHARGE OF A FLESHE DINNER AT THE STARRE
CHAMBER.—5, FEB. 1588.

s.	d.	s.	d.
Beef, 18 stone at 2s. the stone	37 0	Teals 18.....	12 0
Mutton, 13 joints ..	24 0	(Snipes) 18.....	9 0
Veal, 9 joints.....	22 6	Tame Pigeons 24 ..	12 0
Lamb	15 0	Black Birds 24	6 0
Three Turkeys	20 0	Rabbits 4	3 0
Ten Capons	26 8	Rabbit Suckers 12..	6 0
Pullets of (guse) 9..	13 4	Larks 48	6 8
Pheasants 3	18 0	Brawn for Collops	6 8
Herneshaws 3	15 0	Butter	14 0
Mallards 8	9 4	Eggs	13 4
Partridges 11.....	16 6	With divers other things of smaller rates so that this dinner comes to xvij <i>l</i> . vs. <i>ij</i> <i>d</i> .	
Woodcocks 11	12 10		
Plovers 18	12 0		

Another dinner in this year comprizes “Rosewater, Poazen, Herons, Maribones,” &c.

¹ On the previous Wednesday, there were plaisses, 2 cople soles, conger, turbot, creme, strawberries, sauces, and “two bere glasses,” (broken).

CASES SAID TO BE DETERMINED IN THE COURT OF STAR
CHAMBER, PRIOR TO H. VII.

The following eleven cases are stated to be transcribed from manuscripts remaining in the Star Chamber—if however that Court took its creation from the Statutes of the 3d. Hen. VII., these cases were probably proceedings before the King and Council sitting in a Room called “the Star Chamber,” and were not proceedings of “*the Court of Star Chamber.*”

Mr. Hudson, who has been already noticed, says that “*Coram Nobis et Concilio*” was *resolved* to be “*Coram Rege et Concilio in Camera Stellat:*” but this resolution is no *proof* that it was anything more than the ordinary King and Council sitting in a particular chamber. The wording of some of these cases goes far to confirm this view, as the reader will no doubt observe.

Both Courts occasionally occupied the Chamber of Stars, and many of the members of the King’s Council were also members of the Star Chamber. In Crompton’s “*L’Autorité,*” he treats, “*De Courte de Starre Chamber and Matters avant le Counsell le Roy.*” p. 29.

“Records touching ancient proceedings in the Court of Star Chamber, transcribed out of manuscripts which remained in that Court.”

“*Coram Nobis et Concilio,*” *resolved* to be *Coram Rege et Consilio in Camera Stellat.*” (28 Book of Assize, p. 51.)

A Writ to appear before the King and his Council. (Register fo. 124, 6, 191, 167.)

Barnard Nicholas, a merchant questioned *Coram Rege et Concilio* for fortune telling, to the scandal of one *Arnold Griffin*, and was thereof acquitted. (Rot. Pat. 55 H 3 m 7.)

Spinks appeared upon process *Coram Rege et Concilio*, answered the Bill of one *Radland*, was afterwards acquitted, and *Radland* committed for his false accusation. (30 E. 3, Rot. Pat. m 15.)

Isabel Falconberge appeared before the Council of the King, in the Chamber of the Stars, near the Receipt, about detaining of deeds, and was there ordered and sworn to deliver all the deeds saving those that concerned her joint estate. (Claus. 40 E. 3, m 3 dorso.)

The Writ now used in Star Chamber to appear Coram Rege et Concilio apud Westm. in 15 Pasch. Test. 14 Februarii sub pœna, £400. (Claus. 6 H. 4 m 22.)

Dancers, acquitted of the rasure of a Record, and *Brocket*, a clerk of the Exchequer that did it, was forejudged to have access for writing in any of the King's Courts of Record. (Claus. 27 H. 6.)

John Foord, for fraudulently packing of wool in broad cloths, which he sold to a Dutchman who transported them: committed to the Fleet, then to the Tower and to be set on the pillory in Cornhill, (Claus. 17, H. 6.)

Ralph Lord Cromwell, acquitted of the accusation of suspicion of Treason. (Rot. Pat. 31 H, 6.)

Decree in a matter of Title between the Master and Brethren of the Hospital of *St. Leonard's in Yorkshire*, and the inhabitants of Yorkshire, Cumberland, Northumberland, and Westmoreland, touching *Peter Corne*. (Pat. 8 E. 4, pars, 3 m. 14.)

The *Abbot* of St. Edmondbury, against *Thurston* and others. The defendants punished for turbulent election of their aldermen, a constable, and other officers. (Rot. Pat. 20 E. 4.)

A Defendant fined £5 for contempt to the King, to pay plaintiff's costs and damages, and bound to good behaviour. (1 Hen. VII.)

——— *Bigott*, fined forty marks upon conviction of a Riot. (2 H. VII.)

Debasing the price of Wool complained of, out of a report beyond seas—the offender brought before the Star Chamber, fined and ransomed. (43 Book Ass. pl. 38.)

[The preceding are probably 13 out of the 15 cases cited by Sir Edward Coke as proving the antiquity of the Court of Star Chamber, but which are said, by reference to Prynne's *Animadversions* on the 4th Institute, and by Reeves, to be inapplicable.] It will be seen that in the mention of the case of Isabel Falconberg, the words are, "*before the Council of the King, in the Chamber of the Stars.*"

HEN. VII.

29 May, 10 H. 7.—A subpoena issued for contempt "in letting a Privy Seal to fall in the dirt."

Penult Junii.—Injunction against Arnold Gea that he does not proceed in the Assize of New Disseizin of Land in Newark, *pendente lite*.

"3 July Forgerie"—The Deed whereby Kendall claimeth Bourshey Land, is an untrue Deed, false and forged. Punishment withheld till John Shelley, of Sussex, be examined. Present—

Cant	Thesaur	Fitzwilliam
Ebor	Burgh	Hadr Caplo Bau
Norwich	Rislie	

12 H. 7.—Injunction that — Tempest amove himself from the lands which Eliz. Tempest, widow, late had in her jointure.

A Decree to settle the possession of lands in Yorkshire, with John Powell, whose father had been violently disseized by the defendants.

18 Jan., 11 H. 7.—Injunction against Thomas Audleigh, that he do not alienate the things confiscated.

Publication made by the Council of Prince Arthur in the cause of Crofts *v.* Cornwall, and both parties are to appear before the King's Majesty on Thursday next in the Palace of Westminster, and Cornwall is to keep the peace.

April 28.—Communicand tro^t die Maior et Aldermanus, London, in Camera Stellat¹ ad obligandum civitate pro securitate intercurus inter subdites Anglie et Burgund.

28, April.—(same day) “(Apparitio) ad communicand cum Legatis Hispan pro Amica et Matrimonio inter (Dom^u) principem et Catherinam filiam R. Hispan.”

PRESENT.

Rex	Darbie	} Vice-	Camerarius Hastings
Cant Cancr	Salop		Daubeney
Roffen	Wilts	} Comes	Findux, Causel Ducat
Thesaur	Decanus Capel		Guildford, Contre-rotulat,
	Decanus Windsor		Lovel, Croftes, Rysley, May, Middleton

28, July, 11 H. 7.—After term at Lambeth, the Lord Cardinal of Canterbury present,

Topcliffe, Sandes, and others committed to the Fleet.

26, Oct. 12 H. 7.—Edward Fielding has a day to testify against the Lord Marquess and others.

“And afterwards on the same day, in another place, the cause of Collins and Wagge is referred to —— and Trenile to enquire into the merits.”

Lord Dacre, in 1509 just after this King's death, writes to the Council, praying a discharge of “Recognizance for £500 for keeping the peace against the Lord Greystoke, late deceased, and for his own and others' appearance in the Star Chamber, duly kept, with the exception of Robert Skelton

¹ This was probably not a proceeding of the Court of Star Chamber but of the King's Council meeting in the Chamber of Stars.

slain on the borders." Also of 1000 marks in which he was bound with George Lord Fitzhughe, for his mother Dame Mabel Dacre, accused of having ravished one Ric. Huddlestone, a ward of Henry VII. for which she was committed to prison, and remained there three quarters of a year—of this sum, 600 marks had been paid, and he prays a discharge of the residue, as Huddlestone was never a king's ward, and that "Elizabeth Huddlestone, her daughter, wife of the "said Richard being attendant upon the same Dame Mabel, "in the foresaid Castle, remembering his (her) mother was "so unrighteously daungered and troubled for her causes, "took such heaviness and sorrow that she died in the said "Castle, with other the said Dame Mabel's kinsfolk and "servants." S.P.O. Domestic, 1509.

We have already noticed the statute of Henry VII., either instituting or invigorating the Court of Star Chamber. The chief objects of the King, through the instrumentality of this Court, were the restraint of the Nobles, and the support of the Prerogative, but connected with these was the replenishing of the royal purse, with the fines and commutations, and the money paid for pardons, even of great offences against the common weal.¹

The King's most notorious agents in these matters, were Sir Richard Empson Knight, and Robert Dudley, Esq., both lawyers, who not only acted as *promoters*² that is as common Informers, filing accusations in the Star Chamber, but also served the King as collectors of the fines imposed by the Court, and of moneys paid for the King's favour, and for his pardon for murders, felonies, and misdemeanours.

Bacon says, "I remember to have seen a Book of Account of Empson's, that had the King's hand almost to every leaf,

¹ His ministers, not to say the King himself, were more industrious in hunting out persecutions upon old or forgotten laws, in order to extort money from the subject, than in framing any new beneficial regulations—amassing treasure in the King's Coffers. To this end the Court of Star Chamber was remodelled, and armed with powers the most dangerous and unconstitutional over the persons and properties of the subject. Warren's Blackstone.

² Sir Edward Coke called these promoters "*Turbidum hominum genus*." Reeves says, a new office was created, and Empson and Dudley were made "Masters of the King's Forfeitures."

by way of signing, and was in some places postilled in the margin with the King's hand; likewise where was this remembrance—

“I have received from such a one, 5 marks for a pardon to be procured, and if the pardon do not pass, the money to be repaid, except the party be some other ways satisfied,” and was over against this name in the King's own hand, “otherwise satisfied”¹ [so the King kept his 5 marks.]

In the Lansdown MSS., No. 160 is a List, made out by Dudley, of the monies he had received for fines, &c. for the use of the King, a copy of which is appended to this Chapter.²

Although it may be rather interfering with chronological arrangement, it will be as well to state in this chapter what became of these and other promoters, for their punishment began before Henry VII., had been dead many hours. “Henry VIII. began to reign 22, April 1509, and was proclaimed on the 23rd. The same day also Sir Richard Empson Knight and Edmond Dudley, Esq., great councillors of the late King were attached and brought to the Tower, not to the little rejoicing of many persons which by them was grieved, which attachment was thought to be procured by malice of them that with their authority, in the late King's days were offended, (or else to shifte the noise of the strait execution of penal statutes in the late King's days), by punishment of those persons, and other promoters for to satisfy and appease the people. Soon after were apprehended divers, called promoters, belonging to Empson and Dudley, as Canby, Page, and divers others, as Smith, Derby, Wright, Sympson, and Stockton, of the which, the most part wore papers and stood in the pillory,³ howbeit the most craftiest

¹ Henry's History of England, p. 66.

² Copied also in *Archæologia*, vol. 25, p. 390, 3. Yet *Magna Charta* says, “Nulli vendemus rectum aut justiciam.”

³ Three of the promoters who had been pilloried, died in Newgate a few days afterwards, “for very shame, but more likely from the rough usage they had in the pillory.” Empson's forfeited mansion with its orchard and 12 gardens situate in St. Bride's, Fleet Street, and occupying the ground now known as Salisbury Square and Dorset Street, was granted to Wolsey, 30 January 1510. *Cavendish* 79, *Rymer* v. 569.

knave of all, called John Baptist Grimald, escaped and came to Westminster and there took sanctuary.”¹

It was found impossible to convict Empson and Dudley of their crimes, without impeaching the memory of the late King. Still the King in his progress heard every day more and more complaints of them, so at last he sent his Writ to the Sheriffs of London, and on the 17th of August, they were “beheaded at the Tower Hill, and their bodies burned and their heads.”²

“A LIST OF MONIES RECEIVED BY EDMUND DUDLEY FOR THE KING.” FROM THE 20TH TO THE 23RD. HEN. VII.³

It is supposed that a large proportion of these fines were imposed by the Court of Star Chamber, as many of them were for hunting, riots, and other offences mentioned in the Statute of 3 Henry VII.

20, H. 7. The Duke of Buckingham, 500 marks for obligation for ye Soverain.

25, Jan. Four Obligations of Wil Claxton for payment of 200 lib. for his fine.

Of my L. of Canterbury for 5 several recognizances 2664 lib. for the escape of 16 convicts, &c.

Of Sir Wil Capell and Giles Capell, his son, for their p'dons, 1000 lib.

Of Henry Tey for his p'don for his offence in his shrevaltie, 100 lib.

The like for Pyrton, 100 markes.

The like for Hufrey Kynaston, 200 markes.

For the p'don of Rich. Woodrof, Kt., for the p'munire, 40 li.

For the p'don of Matthew Wentworth for the escheatorship of Yorkshire, twentie lib.

¹ He was pardoned in 1510.

² Hall's Chronicle.

³ Lans. MSS., No. 160, fo 320, p. 57, copied in *Archæologia*, vol. 25, p. 390—3.

- 3, Maii. Of Sir Edward Stanley for the escape of one Broke, 100 lib.
- 20, H. 7. For the p'don of Wil. Twell, late in the Fleete, for an outlawry of rape and other offences, 100 lib.
 Of the Abbot of St. Albans, 80 lib. for the discharge of a fine of 100 lib., for the escape of one Js. Banester, co'vict of felony.
 Of John Alkok, xx li. for a fine for a misprision of felony.
 Of the p'son of Clyve, his discharge of such matters as he was charged with before the Counsel, 20 lib.
 For the discharge of an indictment of murther found in Lincolnshire against Jo. Cutlare, clerk, 300 markes.
- 4, Sept. Of the Executors of Sir Reynold Bray, for the discharge of an information in the Exchequer for the forfeitures of certain wolls shipped contrary to the Statute, 1250 marks.
- 27, Oct. For the p'don of Wil. Prat, 100 lib.
 For the p'don of Salmon for hunting, 60 lib.
- 16, Nov. For the p'don of Sir Thos. Knight, 200 lib.
 For Barling's p'don for felonies and other offences, 100 markes.
 For the p'don of Rafe Paine, 100 markes.
 For the p'don of Arnold Coe during his escheatorship.
- 6, Dec. For the discharge of Tho. Symonds, clerk, prisoner in the Tower for wordes unfitting, 20 lib.
- 11, Dec. For the p'don of Wil. Harp, for treasons, felonies, escapes, and other offences, 400 marks.
- 19, Dec. For the p'don of Wymond Rawley, for misprisions and other offences, 700 marks.
- 20, Dec. For Sir Jo. Digby for the escapes of the Marshalsea for his p'don, 600 lib.
- 2, Mart. For the p'don of the L. Dacres of the South, for his intrusion of his Landes in Lancashire, 200 lib.
- 3, Mart. For the p'don of Sir Edward Stanley and 56 p'sons for their p'dons for reteyners in the County of York, 200 lib.

- 11, Mart For the p'don of Wil Curteys, late customer of London, for discharge of his offenses in that office, 500 marks.
For Sir David Owen for a p'don for hunting, 300 marks.
- 13, April For the p'don of Wil. Grene, customer of Lin. 100 marks.
- 20, April For Tho. Hazelwood's discharge of the escape of Sir Edward Burgh, 300 lib.
- 24, April For the p'don of Harry Uvedall for his offenses in the office of controller of the ports of Pool and Weymouth, 300 marks.
- 27, April For the p'don of Jasper Fitoll for his offenses in the office of Customership of Poole, 100 lib.
- 22, Maii For the discharge of Sir Thos. Sutton, Kt. for Keddels, Milles, &c., to the annoyance of water passages, 300 markes.
- 4, Junii For the discharge of Jo Dawtreys for his hunting, 400 marks.
- 14, Junii For the gen'ral p'don to the L. Clifford for divers damages that he stood in to the King's Grace as touching the q^o warranto for the Sheriffwick of Westmoreland, and intrusion of the coronage of the same, &c., 400 markes.
For the discharge of the intrusion of Sir Wil. Say, of certeine lands in the West Country of the inhance of one Hill, his first wife, 2500 markes.
- 8, Julii For the discharge of Norbrig, of Gilford for a riot committed on Monday in Easter-week last, 20 marks.
16. Julii For the p'don of murther of Sir Jo. Fenes, Kt., 25 lib.
For the p'don of the B. of Exon, 200 lib.
For the p'don of Barnard Olen, clerk, for treasons, 40 marks.
- 17, Julii For the p'don of murther for Richard Breteyn, 25 lib.
- 20, Julii For the p'don of Rich. Sandys and 15 other p'sons for hunting, 40 marks.
For the discharge of the Earle of Devon for reteyners, 1000 markes.
Of Jo Montgomery, Kt, to have the King's favour in traversing an indictment of murther in Staffordshire, 40 lib.

- 24, Julii For the discharge of D. Church for certain wordes spoken by him, 100 marks.
 For Rede, of Powles, for his discharge of and for a letter by him sent to Rome against the Abp. of Canterbury, 50 marks.
 For the intrusions of Sir Edward Harward and Alice his wife into certein lands, &c., 533 lib.
 For the intrusions of the L. Harry Buk and the Lady Marquesse, his wife, into certein lands, 400 markes.
 For the King's gracious favour in the recovering the 800 markes assessed upon the tenants of Brecknok, 300 markes.
- 22, H. 7. For the p'don of John Ap. Madok Ap. Hoell, undersheriff of Carnarvon in Wales, 100 marks.
- 10, Sept. For the p'don of Sir Jo. Cotismour, of misprision, 400 marks.
- 22, Sept. For the p'don of John Rodon for hunting, 20 lib.
- 28, Sept. For the discharge of the B. of Rochester for the escapes of Rob. Browne and Thos. Pell convicted p'sons, 200 lib.
- 11, Nov. For the Erle of Derby for his p'don, 6000 lib.
- 26, Nov. For the p'don of Giles L. Daubeney for receipts of money at Calais by reason of his office w'ch belonged to the King's Grace, 2000 lib.
- 6, Dec. Pay'd by the Erle of Northumberland for the King's gracious favour to him shewed in the matter betwixt Sir Jo. Hotham, Kt., and ye same Erle and fur^r to be dismissed out of the Starr Chamber for that cause, 100 lib.
 For the B. of Lincoln his p'don of the escape of Hugh Jones, a clerk co'vict, 100 lib.
- 18, Feb. For the p'don of Kebell, alderman of London, 1000 markes.
 For Henry Hassall, his discharge of reteyners and hunting in Lancashire, 40 markes.
- 3, Mart For the p'don of Rob. Hall, for hunting in Bramley, 50 marks.
- 8, Mart For the p'don of Mr. Wall for reteyners, riots, hunting, and such other offenses, and a warrant to co'fesse his travers of and to the same, 40 lib.
- 29, Maii For Sir Philip Calthrop, his p'don for intrusions, 500 lib.

- 21, Julii For the p'don of Simon Digby, for his misbehaviour in the office of weyeing of wolls at the port of Hull, 100 marks.
- 14, Jul. For the p'don of Sir Henry Vernon, 900 lib.
- 21, Jul. For the p'don of Tho. Wate, prisoner in the Tower of London, 1000 mks.
- 11, Nov. For the L. Conyers discharge of a riot committed by him and others against the L. Darcy, 1000 lib.
- 23, H. 7. For the p'don of Sir Ja. Hubert, Kt., 800 mks.
- 17, Nov. For the p'don of the Lady Percival, 1000 lib.
- 25, Nov. For the p'don of the E. of Northumberland, 10,000 lib.
- 3, Dec. For the p'don of the B. of Exon, for the escape of 8 p'sons, clerks co'vict, out of his prison, 800 lib.
- 15, Dec. For the p'don of the Priour of Launceston, 500 markes.
- 7, Jan, For the p'don of James Yarford, Mer^t 500 markes.
- 28, Jan. For the p'don of Roger Lewknor, of Sheffield, for murther and felony, 200 lib.
- 23, H. 7. For the p'dons of Kingsworth, Shore, and Grove, aldermen of London, 1123 lib.
- 23, Feb. For the King's most gracious favour to Swan and other certeine persons of Kent to be discharged of an attaint sued against them by the E. of Essex and Sr Will. Say, 800 lib.
- 28, Maii For the g'neral p'don of the B. of Sarum, 1000 lib.
- The like for the Abbot of Glastonbury, 200 lib.
- For Bellowe, chantry priest of Powles, for his p'don of misprision, 100 markes.

HENRY VII. & VIII.

[10th, Feb. 6, H. VII.

Rex.

Abp. of Cant. Canc	Dyneham, Thesaur
Exon, Privy Seal	(Com. Oxon and 4 other Earls,
Wigorn	3 Lords, 5 Sira)
Mr. Savage	Mr. Husy
Mr. Morgan	James Hubert
	Dymock

18 Nov., 11 H. 7. The Lord Chancellor sat alone and made a Decree in John Power *v* Robt. Eyre and others, restoring possession of land.]

The following 12 entries are taken from the Lansdown, MS, No. 160 called "Notes out of the Star Chamber Book te'porib's, H. 7 et H. 8 touching those who sat then there as Judges," (in the handwriting of Sir Julius Caesar.)

"In Cam. Stell, 7 H. 7." The Lord Clifford and Lord Dacie, of Notts, were committed to the Fleet and afterwards, the King only being present, were fined at £20 a piece.

"In Cam. Stell, 7 H. 7." The Lord Lisle and others dismiss of a riot, for that the matter is taken to the King's handes, as his attorney certifieth.

21 May, 19 H. 8. In these tymes the Cardinall of York was Chancellor and Legate, and the presence was always grete that sate with him.

13 and 14 H. 8. Present, The Lord Prior of St. Johns, Thos. More, Miles, Ellys,⁴ Baron of the Exchequer, and others.

4 May, 13 H. 8. Johnson *v* Broke, cause heard; deft. sent to the Fleet, and to pay plaintiff 20 nobles.

6 July, ditto. Storeman and Sterre, dismissed.
Deping and Cornelius, heard.

¹ "Master Ellys often sate alone."

5 July, ditto. The prior of Southwick and Jone Holdepe, for title of land—a long decree in favour of the Prior.

10 Feb., ditto. A misdemeamour heard, for carrying away “the prioress of Michell Kynton, and taking away the goodes of that Priory.”

25 May, 21 H. 8. Present, “The King, Sir Thos. More, and many others—This day an oration was made by the Lord Chancellor, and after that another by the King about the suppressing of heresy.”

Rot. pat 21 H. 8. The Lords in December exhibit to the King Articles against Cardinal Wolsey, and on 12 Feb. the Kinge give him his gen'all p'don.

STAR CHAMBER CASES, TEMP. HENRY VIII.¹

Easter Term, 1 H. 8. John Lye, the servant of the *Abbot of Salop*, to be imprisoned if his master does not appear.

A Privy Seal decreed to the Bailiffs of Shrewsbury, to keep the peace to the Abbot of Shrewsbury, the like process to the Abbot.

A Privy Seal was served on John Furby in the Church of Barton-on-Humber, on Sunday between Mass and Matins.²

Thos. Eaton, v Lewis Eaton, Decree for an annuity.

¹ Lansd. MS. 639.

² The process of this Court might anciently be served in any place. In Catholic times, the Market or the Church seems to have been the usual place for service. “Now, (says Hudson, probably alluding to a case in 13 James of service after divine service,)” Now it is “held a great offence to profane Church, by service of process, that being a Sanctuary where no man's devotion should be interrupted.” Arch. Vol. 25. Yet in a letter from Dr. Jo. Andrews, in 1624, he says that at Amersham, “no pews in this Church have been taken away, or lowered, no doors ledding into the church-yard stopped up, and the people still lie in their pews, sit with their hats on, and neither kneel at the Litany, nor bow at the name of Jesus.” (S.P.O. Domestic, 1624.)

The Canons of St. Mary, Ottery and their Tenants. Injunction to Wm. Curton, Abbot of Langley, to remove all lay people and not waste the goods of the Monastery. (The differences were referred to Arbitration.¹)

A Communication for suppression of inferior Courts which were not Courts of Record certified, and of Commission of Oyer and Terminer, and all persons to sue in the King's Courts at Westminster, and those that are poor to have counsel assigned to them without paying money, and persons heretofore imprisoned to be bailed. (Present, Canterbury, Warwick, Roff, Duke of Buckingham, Earl of Surrey, Salop, and 12 others.)

John Maxey, Abbot of Langley, to appear and pay £15 if he prove not the riot charged against Southwell.

Feb. 15, at Lambeth, Sir John Redcliffe to keep the peace to Robt. Plumptre, Knight.

2 H. VIII.

Ap. 28. Assize of gold and silver, and of the Monies in the Inner Chamber.

The Cause between the Prior of Tinmouth and the Mayor of Newcastle is referred to Lord Dacre of the North—and George Bird, in the name of the Mayor, was enjoined to make no insurrection. [Similar Injunctions to the Mayor and Dean of Lincoln, and to the Abbot and Bailiffs of Salop.]

5 June. Charge against the Mayor and Aldermen of London for an escape, &c., also to certify the names of disaffected persons at Tower Hill and St. Katherine's.

10 June. The Bp. of Winton *v* the Bp. of Dunelm—Touching "the Office" after the death of the Earl of Westmoreland. [Another suit concerning his Wardship.]

¹ The Decree of this Court was on the 19 Nov, 1509. The *Inspecimus* and *Exemplification* of the Decree is in the State Paper Office with the names of 89 (tenants). Pat. 1 H. 8, p. 2, m. 9.

5 July. Mary Francis and others *v* Thos. Sessions, for Fraud.

Letter from the King to the Chancellor, of Credence for the Prior of St. John's, Jerusalem, touching the Abbot of Oisteaux, and a visitation and reformation of the Monks of the Cistercian Order.

Mr. Mulso against the inhabitants of Thingden as to Inclosures.

Sir John Townley committed for a riot in the County of Notts.

Thos. Bettis *ats* Simon Edwards, is committed to the Fleet and is not to send or receive letters.

Thos. Smith *v* John Basset, both sworn each to the other, not to meddle with the possession of the land in question.

23 Nov. Sir Ralph Elecker, committed to the Fleet, for not producing his son according to the Privy Seal.

John Curson, committed for swearing one thing, and saying another to the Lords.

Thos. Hall, of Ipswich, committed to the Fleet, for words against the Queen—*dixit in verba v' nacula*, "The Queene is delivered of a Knave Childe."¹

Thos. Retyer *v* Robt. Duelly—plaintiff fined £10 for not proving his bill.

14 April. Bannister and Bellis and Wm. Horley, committed for costs, close prisoner except from his wife.

The Sheriff of Northampton is ordered to attach the Abbot of Peterborough to appear.

The Inhabitants of Jersey are to answer a bill.

John Duneham, Miles, charged with riots is discharged, having the King's pardon.

¹ A Boy Child, (Knabe, a Boy. Germ.) This rumour must have anticipated the event, which took place at Richmond on New Year's Day, 1510.

A Deliberation of the Court, with the Bp. of London, Doctors, and Justices, as to the ordering of certain thieves and murderers who had taken Sanctuary at Strond Church.

A Decree touching the Burgesses and Commons of Newcastle.

The Earl of Northumberland appeared and submitted, and prayed the Lords to intercede for him to the King.

2 H. 8. The Lord Mayor is ordered to make search for the writers of certain libels (two slanderous Bills) against the King and his Council. All Merchants' books to be examined, and the *last* to be sealed and deposited at Guildhall, and there searched "whether there be in them any such like hand as is contained in the said Billes."¹

25 June. The Mayor of Newcastle is committed to the Tower for perjury.

Thos. Palyn and — Beckenham, committed for falsely advising Cuthbert Langlen "to rase money" (*de rasura monete regie*).

Serjeants at the mace, entering into a chamber of a tavern in London, and drawing their swords, *before* they shewed their mace, were censured as rioters.

John Louthier and Gilbert Wharton, committed for riots.

Thos. Cheeseman, committed for a riot and drawing his (armsondam) against one in Chesterford Church.²

1 Feb. While the Court was sitting at Westminster, Hadrian Fortescue was arrested in the Hall, when he was rescued with drawn swords, and got away to the Abbey Church at Westminster, Robert Brandon and John Audley

¹ What would the merchants of London now say, if their books in use were taken from them and deposited at Guildhall, in order to compare hand-writing!!

² He was afterwards ordered to be discharged "after a time" as from his poverty he could not pay the fine.

helping. Fortescue was sent to the Tower and the Lieutenant of the Tower was enjoined under £500 penalty to keep him safely.¹

Monday, 10th, Feb. The Chancery was held in the Star Chamber, "because of the triumphe at the birth of Prince Henry."

3 H. VIII.

25 July, (1511). The Court did not sit, as the Chancellor was with the King.

John, Abbot of the Monastery of St. Saviour's, Faversham v the Mayor elect of Faversham, (Lancelot Strensham), who was directed to take the accustomed oath before the Abbot. Decreed that Faversham is one of the Cinque Ports, and the Warden shall order a new Election. Three to be elected, and the Abbot to elect and swear one.

3 Feb. The men of Denbigh are to shew their Charter.

8 H. VIII.

1 Dec. Item, Trednets to newly apparel Wm. Darnand against tomorrow, the which Darnand was adjudged to be of competent discretion.

Sir John Hurssey is not to sit with the Lords until a cause against him be determined.

Rd. Brandon (Brereton), committed for forcibly taking away the Widow of Richd. Dawne.

19 May. Sir Randall Moreton, who, without the King's license, had taken away the King's Widow, did submit himself, beseeching my Lord Cardinal to be means to the King's grace for him. "In likewise Sir Wm. Poole and Richd. Brereton the principal which married the said Widow."

¹ See his pedigree in Chauncey's Hertfordsh: ii. 348. He was attainted with 15 others in 1539. The Act was past with indecent haste. It was read the first and second time on May 10, read the third time next day, and in five days more, was sent back by the Commons. He was executed 10 July. Cobbett's State Trials, i. 482.

John Coale enjoined in m. marks, not to speak to — Yeo., till he hath appeared here before the Lords.

A suit between — Comberford and the inhabitants of Tamworth.

Thos. Lucas, committed to the Tower for speaking scandalous words of the Lord Cardinal (Wolsey).

Alice Hardman, Wo., *v* Sir John Husoe, for the maintenance and bearing of the murther of — Hardman, her late husband. The Lords pity the widow, and tho' she does not prove her case, yet adjudge Sir John to pay her costs, (£6 13s. 4d.) without intending that he is guilty "but only out of pity and compassion."

Thos. Lake to be here tomorrow with his Counsel and shew why he should not wear papers, because he had sworn that he had not seen the Lords' Order for him to resort to his wife.

It is commanded Mr. Solicitor to sue out process against them that did acquit Blase of rape before the Ordinary.

The Abbot of Deulemore sentenced, and the profits of his parson sequestered.

John Canton, for perjury to wear paper, "this man is wilfully perjured" thrice round Westminster Hall, thrice about the Cross of Cheape in the time of full market, and also at the Assizes.

John Cole, fined £50 for not proving divers surmises against Sir Thos. Denys.

4 Feb. 8 H. 8. Wm. Scott is discharged of keeping the King's Rolls in the county of Surrey, and of being a Justice of the Peace. (He spoke of a variance between the Lords temporal, and the Lord Cardinal, and asks forgiveness.)

Sir Rowland Egerton deposits 300 marks with the Abbot of Westminster, as his gage for keeping the peace with the inhabitants of Bownacres. He is also bound in £1000 to appear day by day at the King's Council, also in 1000 marks to guard and keep the King's Castle at Bewmarries in Wales, &c.

Sir Chrstr. Plomar and Dr. Allen submit themselves to the King's mercy for their offence concerning premunire extortions, that they will no further proceed in the defence of the said cause, and be ready to bring "Borrows"¹ for the fines the Court may assess. Therefore it is ordered that when the King's Highness hath employed, and from time to time shall employ som for the building, raising and finishing of a new house adjoining to the Starre Chamber, and leading to the gate of the Bridge of the Palace of Westminster, that he Mr. John Allen and Sir C. Plomer in ten years next ensuing shall pay to Sir John Heron the sums so employed in such Building, not exceeding 500 marks.

The Warden is ordered to cause the son of Wm. Gibbs, called George Josslyn otherwise Cnapp who made a seditious Bill to the Priest and Inhabitants of Kalros in Devonshire to be brought tomorrow to Westminster Hall, and do penance with a paper on his head.

(1516.) John Copynger, gent. of the Household, was fined for the abduction of Elizabeth, daughter and heiress apparent of Th. Sotehill, with intent to marry her. George Lanston, of York and John Note, of London were his Sureties. Domestic, H. 8.

Th. Alen writes to the Earl of Shrewsbury (1516) that "there is great trouble between the Marquess, Lord Hastings, and Sir Rd. Sacheverell—both parties are bound to appear in the Star Chamber, and, as they say, will be bound to be of good bearing. Hastings and Sacheverell were examined because they had so many men in a livery at the meeting of the Scotch Queen. Heard the Cardinal (Wolsey) command them to bring in every man's name who was with them in livery at the time."²

¹ Sureties.

² The "giving of Liveries, Signs and Tokens, and Retainers," were prohibited by the Statute of Henry VII, as stated ante, p. 2. It was also an offence under the Statute of 1 Ric. II. cap. 7, which enacted that no person should give hats and other liveries to persons, and take their covenant to maintain their quarrels, whether reasonable or unreasonable. In 1496, Thomas Darcy was indicted in Yorkshire for giving a Token or Livery called "the Buck's Head" to John Walker and others, who carried the same in their hoods, contrary to the Statute. Record's Report, p. 219. This prohibition is curiously introduced into the Burgess's Oath in 8th H. 7. See Burn's Hist. of Henley, 1861, p. 57.

Thomas Powell is decreed to be no longer the King's servant, and is banished the Town of Plymouth, and sent to the Fleet.

Thos. Siggons and others committed to the Fleet for causing the Alarum bell to be rung.

Sir Robt. Constable, Knt. appears and confesses,

1. The ravishing and taking away the body of Agnes Grisacre the King's ward;
2. Affiancing her to Thos. one of his sons, without the King's consent;
3. In suffering his son Thos. to have carnal copulation with the said Agnes, they being both then unmarried;

Sir Robert upon his knees humbly submitting himself on high upon the quadrangle in this Chamber, did put himself in the King's mercy.

The Company of the mystery of Dyers put from their wardenship, Wm. Trowton and Rd. Hall. The Lord Mayor complains of the false dyeing.

16 H. 8. The Lord Dacres confesseth he has been negligent in the punishment of thieves, and has taken one of them called Hector Charleton into his service, knowing &c., and he was committed to the Fleet.

Lord Ogle was committed for the same offence.

John Broose, committed for taking upon himself to be an executor of one Warford.

John Devereux, who was committed to the Tower on the 9th of May for hainous riots, confesseth same, and this present day comes from the said Tower of London *in his shirt* and semblably here before the Lords, humbly acknowledged the information. In consideration of his humble submission, he is forgiven and discharged.¹

5 May, 8 H. 8. The Ancients of the Inns of Court being present. It was advised that they should not suffer the gentlemen students to be out of their houses after six o'clock at night without very great and necessary causes, nor to wear any manner of weapon.

¹ And see p. 47.

Nicholas Coniars *v* James and Arthur Phillips, for carrying away Johan Coniars, (daughter and heir of Wm. C., deceased), after she was married in face of the Church to the plaintiff, James Phillips being present, and afterwards secretly marrying her to his son without banns.¹

John Oldington, servant to one of the Purveyors of the Queen's Household, to be set in the pillory with papers, "for taking in horses without commission."

Coal ats Reed. Defendant ordered to restore to the Plaintiff the same number and value of Cattle as he took away, viz., 15 oxen, 19 horses and steers, and 60 sheep, and pay 20 marks damages.

"Burnett and Long James, this day openly asked forgiveness of Seymour, late sheriff of London, for such unfitting words as they had given unto him, in the Wrestling Place at Clerkenwell,² at the wrestling time last past" and were dismissed.

Gibbs, a common Barrator,³ is committed to the Fleet until he find sureties for good behaviour.

¹ 27 if not in 4 P. & M.

² Hall's Chronicle speaks of the "Wrestlyng Place on the backsye of Clerkenwell besyde London."

³ A Barrator was a fomentor of law suits. In 1455 there were so many of these at Norwich, that an Act was passed, (33 H. 6, cap. 7), reciting that at Norwich there were eighty attorneyes (many of them ignorant of the law), exortantes, procurantes, moventes & excitantes ad sectas minus veras sectas forinsecas, sectas pro parvis transgressionibus, parvis offensis & parvis summis de debito, which ought to be tried in the Court Baron; it was enacted that the number of attorneyes for Norwich should be limited to *two*, and for Norfolk and Suffolk six each.

Norfolk *Barrators*, and Norfolk *Wiles* became proverbial. Jocelyn, of Brakeland, says that when Sampson, a native of Norfolk, was desirous of being Abbot of Bury, his opponents exclaimed.

"Ut a *Barratoribus* de Norfolchia nos
"conservare digneris,—Te rogamus."

and Sampson is called "*hominem iracundum, non socialem, paltenerium et barratorem de Norfolck.*"

In *Ram Alley*, a play, Justice Tutchin says to Throate the lawyer—

"You, Sir Ambo-dexter

A Sumner's Son, and learn'd in *Norfolk Wiles*,

Some common Bail, or Counter lawyer,

Marry my niece! your half sleeves shall not carry her."

(N. and Q. 1866, p. 473.)

The first Edition of Tyndale's Bible was *bought up* by the Bishops Wareham and Tunstall, and destroyed. Tyndale was thus enabled to publish a corrected Translation. The books were printed on the continent and consigned to John Tyndale and Thos. Patmore, merchants in London. After dispersing them secretly for some time, these merchants were discovered and taken before the Star Chamber at the instance of the Bp. of London. Sir Thos. More who was then Chancellor and presided over this Court, sentenced them to ride on horseback about the city, with their faces to the horse's tails, with papers on their heads, and some of the books they had sold, pinned or tacked to their gowns or cloaks. After having completed their course round the city, they were to be brought to the Standard in Cheap, where with their own hands, they were to consign the books to the flames: they were also fined £1840. (Arch^a. V. 25, 382.)

The making of proclamations was a royal privilege, and any infringement of it was cognisable in this Court. Thus in 22 H. 8, when Sir J. K., of the county of Northumberland (being executor of J. S.), caused proclamation to be made in several towns, for the creditors of J. S. to apply to him for payment, he was fined and committed to the Fleet! ¹

9 May, 17 H. 8. John Devereux, a gentleman of Huntingdonshire, was charged with a riot in having obstructed the (illegal) Commissioners sent throughout the kingdom to exact benevolences from the people. He was brought from the Tower, together with one John Skudder, of Kent, they were led through the streets barefooted and in their shirts. At the Star Chamber "the Cardinal shewed them their offences "with terrible words and after that showed them the King's mercy extended to them and declared their pardon."

On the following day a similar scene took place with other persons who had obstructed the Commissioners in Suffolk.

8 H. 8. Christopher Brokebanks *v* the Merchants of the Steelyard, for restitution of the goods taken by deprivation at Lubeck, "et al Scotland."

¹ Now-a-days Proclamations or Advertisements for creditors are of daily occurrence.

“ Divers fuerunt mise sur la pillorie en Chepeside in Londres circa, 36 H. 8, pur couper de langes de certaine vive beasts, et barking de cert fruit trees, et burning dun frame maliciousmét dun Gresham. ¹

(1540.) Un chevaler de comit North first fined al grand sune in camera Stellata pur ceo que il permitta un sedicious liver appel Martin Marprelate destre imprime en son meason. (Crompton).

FYNES SESSED IN THE STERRED CHAMBRE, ² HILLARI
ANNO OCTAVO. (H. VIII.)

John Cole, brought in iiijc. marks where- } dd to Mr. Toneys.
in he was condemned in the Stannerye }

John Stephen, brought in xxs. assessed }
for a fine for an unlawfull assemble } dd to Ric Lee.
whereof he was convicted. }

Thomas Trench^m, assessed at 5*li*. fyne } he hath not paid
for a contempt committed by him in mis- } it, nor brought in
slandering of the King's messenger. } borrows there for.

Sir Walther Calvery, assessed at xx*li*. }
that is to say, x*li*. for a contempt for sit- } he hath not paid
ting of the prive seale, and x*li*. for a riott } it, nor brought in
committed upon John Thacwray. } borrows therefor.

Trinitatis anno viij^o.

Salop, Foulke Spenser, crowner and clerk of the }
Peace of Shrewsbury sett at } x*li*.

William Sherarde, v*li*. Robt. Upton, v*li*.
John Fletcher, v*li*. Edmund Cole, v*li*.

Hillary, anno, ix^o.

Thomas Hewet and Edmund Hall, for a }
riott committed at Thetford, sett at the }
several fynes of v*li*. a peace, paible at the } For the which they
fests of Michelm^s and Ester next comynge } stand bounden by
that is to say, either of them at eche of } recog^{oo} eche of
the said fests, ls. } them in x*li*.

¹ Crompton.

² Domestic, H. 8.

EDWARD VI.

Horsman *v* Inhabitants of Silk Willoughby. Injunction to continue the debts in possession of certain lands. (7 E. 6.)

Browne *v* Sir John Southworth and others. For Riots, killing cattle, &c. Sent to Lancaster Castle. Fine £500. Servants to pillory. (7 E. 6.)

Lord Paget appears on his knees, from the Tower, for abusing the office of the Duchy of Lancaster,—resigns the office and requests the King's mercy. (6 E. 6.)

Beaumont, prisoner in the Fleet for offences and deceits in the office of Receiver in the Court of Wards, Receivership in Derby and Lancaster, and deceits as Master of the Rolls. Submits to the King's mercy. To enter into recognizances for £30,000 for payment of such fine as the Court should assess.

Wise, Treasurer of Ireland, for deceit in his office, to lose his place and remain in prison till he had paid the Queen's money, and the fine settled.

Leeke, Auditor of Cornwall, for false usage in his office. Fleet and £100 fine.

It is noted, that "The Lords of the Star Chamber in "Edw. VI. his time and Queen Mary's time, for the "most part determined of all Titles, and sometime retained the punishment of the riots . . . of that time."

ORE TENUS.

When a delinquent was brought into Court under an Order or Summons, he was taken before one of the judges and examined. If he denied the accusation, the rule was that evidence should be gone into, and thereupon a Bill was filed, and an answer required, and witnesses examined in the same manner as in Chancery. If however he confessed, his confession was reduced to writing and signed; he might then be taken before the Council, his confession produced,

and judgment passed *ex ore suo*. But three rules were laid down:—

1. That the private examination should not be on oath.
2. That the confession should not be obtained by compulsion.
3. That when brought into Court, Deft. should openly acknowledge his confession, but if he then denied it, he was to be remanded and proceeded against in a formal manner by witnesses.¹

PHILIP & MARY. ✓

Sixty or eighty persons committed to the Bar, *ore tenus*, for pulling up Enclosures. (1 M.)

Giles Horsington and others *v* Chrstr. Keene and others, Restitution of a Manor.

Harton *v* Lord Sturton, for a Riot.

A Decree in favour of one Philpot, present at Bar, and noted for being *very simple*, and likely to waste his lands, that a conveyance should be made for the stay thereof. 1 M.

The like for one Brent, he being an incontinent liver, to save his lands from being wasted and sold from his issue. [He was afterwards taken and seized for an Idiot, but being examined in Court, he was adjudged no Idiot, but to stand to the decree of his lands.] 1 and 2.

The Bp. of Bath² and one Cardmaker, clerk, were committed to the Fleet, for that they would secretly, without licence, have stolen beyond seas, contrary to the Statute. (1 and 2.)

¹ Mr. Bruce—Arch. xxx. p. 65.

² This was Wm. Barlowe, who was deprived by the Queen in 1563, for having married. He eventually left England and joined the Exiles. On the accession of Eliz., he returned and was made Bp. of Chichester.

Flannock and four others were committed to the Fleet for that they lived idly and suspiciously in London, procuring assemblies. (1 and 2).

The liberties and privileges between the University of Oxford and the inhabitants of Tavisenden were settled and decreed in this Court. (1 and 2.)

Also the like of Lord Willoughby and the inhabitants of Oxford.

Lord Wharton *v* the Earl of Cumberland, concerning a Fair which was adjudged to the Earl.

The inhabitants of Tusytwick *v* Newport. This cause was remitted to the Marches of Wales and the books in this Court, to be sent thither.

Knight *v* Pleadall and others, for a Riot. The deft. to appear at the end of the Parliament, because he being a Burgess of the Parliament, claims the privilege thereof. (2 and 3.)

Bellew, a Justice was put out of the Commission for practising with his servants to colour and hide the felonies of his son. (3 and 4.)

Roger Whitfield, for lewd and seditious words against the Justices sitting in Sessions, was sent to the pillory with a paper, and to be whipt in Southwark. (2 and 3.)

Attorney Gen. *v* Wilson and others, Customers of Southampton, for conveying into France 19 last of herrings, contrary to Law. (3 and 4.)

Bartram to put in sureties, for doing violence to a woman great with child, and hurting the Justice with his dagger, when he tried to stay him. Fine £20.

Hewston and Eagle, for counterfeiting passports. ¹ To the Fleet. Pillory with papers. Fine £5.

¹ These were probably passports for the Protestant Bishops, Clergy, and Laity, who were flocking to Geneva, Frankfort, and other Towns to avoid the Marian persecutions.

"Hacknett, a Gent of the Temple, committed to the Fleet for putting down of the Sword borne before the Lord Mayor of London at such tyme as he dyned with the Reader of the said House." (3 and 4.)

Bellingham, a Justice of the Peace, imprisoned and fined for *infusing* himself at a Sessions in giving evidence in favour of a Felon, whereby he was then acquitted, and yet after a new arraign, hanged. 3 P. & M.

Owen and three other Justices, fined for keeping a Sessions at Newbrough instead of Beaumarris. (3 and 4.)

Jones and Griffiths, for enticing two poor maidens to say they were the daughters of one Howell, of Civil Marsh, in fraud of his will. Pillory and papers in the Market Place, the man to have his ears nailed.

Griffith, one of the King's Guard, set on the pillory with papers, "for procuring manifest falsehood."

Sir John Rogers, committed to the Fleet for his molestation towards the King's collector in coming to him for payment of his subsidy money. (2 and 3.)

Drawer, committed for saying at a Session that Lord Clinton was a Traitor. (2 and 3.)

Savage, plt. v Stourton and others, defts. Costs and damages to plt., being keeper of Marybone Park, for the riot and his hurts, his bow and other things to be restored. 3 and 4 P. & M.

Sir John Fitzwilliam and his men were committed close prisoners on suspicion of the murder of Hartgilles.

Charles, Lord Sturton, a nobleman of ancient lineage and fair possessions in Wiltshire, was sent to the Tower with his three men on an information concerning his murdering of the Hartgilles. On pretence of friendship he lured them to meet him to receive the money according to the order of the Court, then imprisoned them in his own house, bound hand and foot, for the purpose of assassination, and after that they were never heard of. Being asked by Counsel where they were, he said he could not tell, but thought they escaped

from the constable to whom he committed them. Other of his men were sent to other prisons. It appeared, however, that he had buried their bodies fifteen feet deep in the earth. When the crime was discovered, petitions for pardon were presented, but conscientiously rejected by the Queen. On the 6th March, 1557, he was hanged at Salisbury by a halter of silk, which he obtained as a badge of his nobility, but which in effect became a trophy of the victory of justice over dishonoured and abused rank. Dugdale II 229. Holinshed.

Quarles and others of a Jury, committed for a false verdict. 4 P. & M.

Cater to stand in the Pillory with a paper for falsifying and razing a certain Dispensation granted by the Lord Legate's Grace.

Tewsand, a servant of one of the Proctors of the Arches, adjudged to have a dozen stripes for correction at the Standard in Cheapside, on a market day, with a paper. 4 and 5.

Fenwick, brought to the Court in a horse litter, fined £40 for contempt of Court. 3 and 4.

Cartwright, fined £10, then £40, then £100 for not tiling the Church of Wymblyngwood according to decree.

[On the 5th Nov. following, he was committed, and a £50 fine forfeited, which was ordered to be paid towards the reparation of the Star Chamber.]

The parishioners of the Ladie of Halderton, and Benfold and Warren, gentⁿ. for pulling down the Chapel, and selling the bells by direction from Sir Hugh Pawlatt. Referred to the Dean of Exeter whether they shall build it again, or make a new Ile in the Parish Church.

Sir Rice Manxall and his son v Sir George Harbert and his servants, for forcibly rifling and dispossessing Sir Rice of divers French prisoners and merchandizes seized by Sir Rice in the time of war; and for wounding his son in defending the goods; and one of Sir George's servants wounding Anne Manxall with a stone in her forehead whereof she died

within three days. All committed to the Fleet. Restitution to be made. The prize adjudged to Sir Rice, his son to be paid for his hurt, the wounding of Anne referred to the Law.

Sir Rd. Mansell *v* Sir George Harbert, ordered to bring in his man's bastard son, to appear in Court for his man's default of appearance. Fined £200, and £40 for his son. 4 and 5.

Sharman *v* Uxley, damages £50 for a Riot. 3 P. & M.

Molineaux *v* Sir John Markham, plt.'s possession continued. 1 and 2 P. & M.

The inhabitants of Milton *v* Somerton and other tenants, as to the enjoyment of a Common. (1 and 2.)

Perjury in a Jury of London for acquitting Sir Nichols Throgmorton accused of Treason, contrary to the evidence. For this they were committed to the Fleet—two of the Jury sent from thence to the Tower for using slanderous words against the decree of this Court, saying they were as true men as ever departed from the Court. Fined 1000 marks each. (1 Mary.)

Ann Draycott *v* her Son, for causing her to be indicted for a forcible entry, and causing a false presentment to be made by the inquest, by making himself one of them. Fined £200. (2 and 3.)

Robert Cobb, for forging a supplication on parchment with 100 seals, in the name of some inhabitants, containing many untruths, without their consent. To be pilloried with papers, at Westminster and in Norfolk.

Langwish, for forging false testimonials, and Robt. Day, for going about with them and usurping the office of Escheator. Pillory and papers. (4 and 5.)

Sir Rd. Pexall, sheriff of Hampshire, was fined £100. When Bainbridge, a heretic, was to be burnt, and being at the stake ready, the sheriff staid his death by reason of a colourable recantation, but as he did it with the advice of divers gentlemen of worship of the county, some being learned men and justices of the Peace, and as he was no favourer of heresies, his fine was reduced to £20.

4 and 5. P. & M. "Richd. Johnson, servant to Robt. Rose, Esq., maketh oath that his master hath received letter from the Earl of Shrewsbury, commanding them to be ready at all times to serve in the wars in the North parts."

15 Oct. A subpoena served in the Church of Norfleet.

Roger Worth, of Barstable, and others, fined for giving evidence before a grand jury, contrary to the order of the Justices of Assize.

Baines ats Brace, convicted of destroying several acres of wheat, growing in Highfield in Dartford.

John Hall and eleven others, a jury in Cornwall for perjury in acquitting Toker and Holritch at the assizes at Launceston; committed to the Fleet, all to wear papers and be pilloried.

Lancelot Dacon, and four others, for acquitting one Pullyn and Harkley, of sacrilege, and one Reynoldson, of wilful murder in Westmoreland. Attachment against the other seven.

Lord Latimer sent to the Fleet for evil entreating one Anne Waite, his servant.

Lord Latimer fined £3000 for his offence this day, (28 Jan., 4 and 5 P. & M.) confessed, saving the murder of Anne Waite.

28th Jan. The Lord Chancellor advised all gentlemen to return home to their own countries.

Thomasine and Mary Tichbourne v — Eyre, for forcibly taking away the said Mary in the King's highway as she was riding with her mother. Fined 500 marks.

Thos. Marsh, stationer, for selling books without licence of the patentees. Ordered that the persons detected for the printing and corrupting of the Bp. of London's book, shall be bound to print no more. [The Court then made several rules and orders for the government of Printers. See MS. 639].

4 and 5 P. & M. Pledall, for attempting to cloke and colour the murder of one Heedart, and attempting to discredit the proceedings of the Justices of Assize, is sent to the Tower, and recognisance of 1000 marks estreated.

STAR CHAMBER CASES, TEMP. ELIZ.,
1559—1603.

It will be seen by the following cases that the Court of Star Chamber was in full operation during this reign. The judges of that Court, sometimes thirty in number, met on Wednesdays and Fridays in Term, and also on the day after Term. They dined together, and we have their bills of fare for flesh days and fish days, at which a great abundance was provided, and strawberries and cream and rose water were not forgotten.

In 1562 the Queen gave certain articles of instruction to the Lord Lieutenant of Ireland, stating, "that as great riots, perjuries, and such like public offences are often committed within that realm, we have thought meet that a place should be appointed for the open hearing and determining thereof *like the Star Chamber at Westminster*, and that like authority and jurisdiction should be devised for you, our lieutenant or for the deputy chancellor and other principal officers of that realm."¹

23 Jan. 1558. A suit in this Court "concerning a Convent seal plucked from a lease." (S. P. O.)

1 Eliz. Information against Langham and others for an unlawful assembly in Lichfield Cathedral, when swords were drawn, and much peril caused.

1 Eliz., 16 Feb. An injunction to the mayor and burgesses of Kingston-upon-Hull, to repair the bridge there.

¹ Query if such a Court was ever established in Ireland.

1 Eliz. Bradshaw *v* Sir Edwd. (Luton) and others for a riot in Oxfordshire. All committed, except Sir Edward, and adjudged seven days in the stocks.

2 Eliz. John Smith, of (Bede) in the county of Essex, Esq., fined for the battery of Alex. Horden, clerk of Her Majesty's Spicery. Horden also was fined for a riot in Fleet-street. "And forasmuch as a great number of the *Black Guard*¹ was present at the same unlawful assembly, and were great evil doers therein, it is ordered that the Queen's officers of her household shall examine her Grace's black-guard and punish them.

John Sparling, an attorney of the Court for *raising* of a writ of covenant, and counterfeiting the handwriting of the officers of the Hanaper. Fined and pilloried.

"Utting, undersheriff of Sussex, for corrupt practice, by colour of his office to get money from one Woody, of Stow-market; he charged him with the murder of a woman, seized his goods, kept him two days in his house, carried him to the house of one James Rigott, undersheriff of Norfolk, then to the High Sheriff, and then to Norwich gaol, setting a clogg upon his leggs. Fined 100 marks and committed to the Fleet till the next assizes at Edmondsbury, then to be punished by the justices, to be no longer undersheriff."

Agnes Creswell *v* Edw. Bardwell, for taking away Mary Page, daughter and heir of John Page, setting her on a horse stradling, and going by her with his sword drawn, and another going by her, holding her on the horse. Imprisoned for two years.

¹ In all great houses but particularly in the royal residences, there were a number of mean dirty dependants, whose office it was to attend the wool yard, sculleries, &c.; of these the most forlorn wretches seem to have been selected to carry coals to the kitchens, halls, &c. To this smutty regiment, who attended the progresses, and rode in the carts with the pots and kettles, the people, in derision gave the name of *black-guards*. B. Jonson's works, 2 vol., 169.

"It is a faith
That we will die in, since from the *black-guard*
To the grim Sir in office, there are few
Hold other tenets." Beaumont and Fletcher.

In the Parish Register of St. Margaret's, Westminster is (1666) "— one of the blake garde." And see the proclamation in 1683 for dispersing them from the Royal Court and Stables. N. and Q., 1854, p. 15.

Sir Robt. Stanley, knight and others, for a riot, and as he gathered the people out of 21 townships to assist, he must pay their fines of £5 each, and himself pay £200.

Henry Saxye, of London, for affixing false seals of the city of Danske to certain writings. Saxye produced his pardon, but offered to withdraw the same, if the Court would send to Danske and prove the genuineness of the seals. Wm. Dickinson, a merchant of Danske, was therefore to go there and bring an answer.¹

A bill to be filed by the Attorney General against Edwd. Radley and others sworn in a Jury² at Abingdon, for perjury.

Eleven jurymen were committed for their verdict at an inquest, finding *de defendo*, when there was evidence of manslaughter.³

A commission issued to examine the tumults at Stafford between the Lord Stafford and his followers, and Sir Edwd. Lyttleton and his followers, at the quarter sessions.

Sir John Guilford *v* Godard White, and others, for a riot in getting possession of Padiham Marsh, near Winchel-

¹ 4th Eliz. Upon Dickinson's return, the forgery was discovered, and Saxye was sentenced to be pilloried weekly for a quarter of a year.

² It seems to have been no uncommon occurrence for a Jury to be fined and imprisoned for their verdict, altho' it was known to lawyers that any punishment was illegal.

Sir Thos. Smith says, "If they (the jury) do pronounce not guilty upon the prisoner, against whom manifest witness is brought in, the prisoner escapeth, but the 12 are not only rebuked by the judges, but also threatened of punishment and many times commanded to appear in the Star Chamber. I have seen in my time, but not in the reign of the King now, (Eliz.) that an inquest for pronouncing one not guilty of treason contrary to such evidence as was brought in, were not only imprisoned for a space, but a large fine set upon their heads, which they were fain to pay. But these doings were even then accounted of many, for violent tyrannical and contrary to the liberty and custom of the realm." The jury who acquitted Sir Nich. Throgmorton were committed to prison, and some fined £2000, others 1000 marks.

³ In Ognell and Parsons, (33 Eliz.), the jurors were pilloried at Westminster and at the assizes, and their verdict annulled.

sey, and for a contempt of the mayor of Winchelsea and his officer bearing the mace. White was to pay 20 nobles "for renewing or making greater of a new mace."

Elizth. Symons, widow, for slanderous accusations against Henry Perry, chancellor of Salisbury, is to be put in the pillory at Westminster and Salisbury, and as she is suspected of sorcery, witchcraft and conjuring, she is committed to the Fleet. 3 El.

33 and 34 Eliz. Horsey *v* Astley—deft. severely punished for setting up horns at a man's gate.

41 Eliz. Gerrard and Parsons were punished for keeping unlawful games.

Also the parties for a libel against a townsman in exhibiting a picture in a May game.

Nov. 1581. A suit against Lord Vaux, Sir Thos. Tresham, Sir Wm. Catesby, Mr. Powdrell, Mr. and Mrs. Griffiths, and Ambrose Griffith¹ for harbouring Romish priests. [At the rack, Campion had confessed being received at the houses of Lord Vaux and others, and hence this suit.]

28 Mar. 1587. On this day several speeches were made by members of this Court, on the charges made against Mr. Davidson, for his haste in executing the warrant for the execution of the Queen of Scots.²

"Attorn. Rg. versus Secretarie Davison for a contempt and imprison (. . . him) being principal secretary and a Privy Councillor, for that he having a warrant signed with the Queen's hand, had direction given him by the Queen herself, to passe it under the great seal and not to acquaint any person therewith, but to keep it secret till her further pleasure was knowne; he, contrary to that, did acquaint some of the Privie Counsell therewith, and tould them that her Matie's pleasure was, that the same should be executed,

¹ See *Archæologia*, vol. 30, 64. for copy of the proceedings.

² Ashmolean Library, No. 862. These speeches were taken down "by Mr. Nutt an eye witness."

which was done before the Queen's further pleasure was then knowne, and without her privitie. 1000 markes fine and remanded to the Tower there to remain at her Maties' pleasure."¹ (2143 Harl. MS.)

1562. The Earl of Hartford, for begetting of the Lady Cath^e Gray with child, being one of the maids of her Majesty's Privy Chamber, and for practising with the under-keeper of the Tower, to have access to her, being also a prisoner in the Tower, by which means he begot her again with child, for which contempt and offence to her Majesty and the dishonour of her house, he was fined about £1500,¹ and to remain in the Tower during the Queen's pleasure.

John Whitmore, guardian in Socage and Prochein amy of Thos. Hibbins v John Petley. Riot and forcible entry. 4 Eliz.

¹ For an account of the members present, Attorney Genl Popham's charge and other particulars, see Oldmixon, p 579. It seems clear that Davison was in no way to blame, but that he could not be exonerated except at the Queen's expence.

¹ Baker's Chronicle says £5000.

Katherine Grey, Countess of Hertford. She was the daughter of the Duke of Suffolk, by the eldest daughter of Charles Brandon, she was formerly married to the eldest son of the Earl of Pembroke, but being divorced from him, she was some years after found to be with child by Edwd. Seymour, Earl of Hertford, who being at that time in France, was sent for and examined by the Abp. of Canterbury, but not producing the witnesses of his marriage, they were both committed to the Tower, where another child was born. Upon this Sir Edwd. Warner, the lieut. of the Tower was discharged. (Baker's Chronicle.) The validity of the marriage was afterwards tried at Common Law, the minister who married them being present, and the jury found it a good marriage. Collins's Peerage. It was stated to have taken place in the latter end of the year 1560 "between Allhallowtide and Christmas," in the Earl's house in Cannon Row, and the clergyman is said to have been a Puritan Divine, "one of those lately returned from Germany." In the pleading of the case one John Hales argued they were lawful man and wife *by virtue of their own bare consent without any ecclesiastical ceremony*. This was then English law. It was a book written by this John Hales, discussing the succession to the Crown, in case of Elizabeth's death, that entailed such imprisonment and misfortune on Lord Hertford and his wife, for Hales shewed that the mother of Lady Catherine was the next and lawful heir, and hence the Queen's displeasure. Lady Catherine died in the Tower, and the Earl remained there 19 years. The Harleian MS, No. 39, has a long touching account of her last moments, when she sent her lord by Sir Owen Hopton, a ring with a pointed diamond which she had received from him at their engagement, also her wedding ring, "and then took she out another ring with a death's head, and said, 'This shall be the last token unto my lord that ever I shall send him, it is a picture of myself' the motto on the ring was "*While I lyve yours*," and so looking down upon her hands, and perceiving the nails to look purple, said, 'Lo here he is come,' &c., &c."

John Rowse *v* Richd. Thumbleby and Wm. Charnoke, for subornation of perjury, forgery, &c., &c. To lose their ears. Fines 500 marks and £100.

W. Grinder *v* Wm. Ledgett, for falsehood and practice in causing two others to be hanged instead of Christopher Watces and Thos. Taylor, two notable rebels, adjudged to be hanged for the rebellion in Kent. Fine £40 and to answer the law for it. (5 El.)

16th May. Henry Peterche *v* John and Abbone Prior. In the affray made upon complainant by John, Abbone went home and fetched a bow and bolts, and shot a bolt at Peterche, the other beating and hurting his servant Thos. Walker, "whereby he is distracted of his witts." Both fined £40, and as Peterche shot Prior's dog, he is fined 40s.

The writing of a challenge is declared to be punishable in the Star Chamber, for if he slay his adversary, it is murder. Wm. Morgan, fearing to be assaulted, strengthened himself by procuring many of his allies and followers to ride with him armed, and was punished for it, for an unlawful assembly.

Dyman *v* Byrkcliffe. A woman fined £500, for practising to get her husband whipped, "and Diat the parson who undertook it."

Greene *v* Grezat and others, for charging him with false weights at Coggeshall by a false beam. As however it was the *Town Beam*, they were discharged.

1st Eliz. Atty. General *v* Jeroacket. Defendant fined £100 for executing the office of High Sheriff without being sworn, and £100 for making a false return to a writ for election of Knights of the Shire. (Rush. 477.)

2 Eliz. Breell *v* Marten. For a riotous taking away of a prisoner taken in the wars with the French. (ib.)

3 Eliz. Smith *v* Savery. Sentenced for a riot, &c., subpoena awarded against them, to be sent to the Fleet and the principal deft. to pay her servants fines. (ib.)

2 Eliz. — *v* Russell and others. A commission of rebellion against the defts.

3 Eliz. *Hales v Crouch*. The defendant said that he could ever find an Oliver for a Rowland among the Queen's Council to bear him out in his matters. Sentenced to stand in the pillory with papers.

Lawley and others. Fined and committed for disobedience and contempt of the Queen's process.

Simmons, widow, *v Parry*. Plaintiff to stand in the Pillory with papers for *false clamore*.

Lord Hastings and another. For hearing Mass, discharged by the Queen on submission.

4th Eliz. *Broughton v Lord Howard, Visct. Bindon*. Fined £100 for reviling one of the plaintiff's witnesses for being examined against him.

The Attorney General *v* the Bailiffs of *Lichfield*. Information for that they made no enquiry, and did not punish the great riots committed at Lichfield.

2 Eliz. Many gentlemen were sentenced in this Court for wearing silk in apparel, contrary to the Act of 24th H. 8, c. 13, viz—Lancelot Vaughan, Wm. Puther, Fras. Mudson, Thos. Green, and others.

Goodwick v Dighton. Dighton conveyed his manor to Plt., and then, before the fine was completed, granted to another a lease for 80 years. Imprisonment till restitution.

Simmonds W^c. v Parry, chancellor of the Cathedral of Sarum for riot and robbery of goods. A false accusation, and Plt. to be pilloried and ask forgiveness. (3 Eliz.)

Cox and another were convicted by accusation *ore tenus* for sorcery and conjuring, and procuring thereof. Pillory, and to swear not to use the same again. (3 El.)

Atty G. *v* *Evesyde and al.* Fined £20 each for deceitfully granting licenses to sell wines. (3 and 4 El.)

Henry Dingley and 2 others charged with a conspiracy to murder one Baptists Bassena, an Italian, one of the Queen's musicians, by the procurement of one Jeremy Frozner (an

Italian fled beyond the seas). To lose their ears in the pillory, one at Westminster and one at Cheapside, to be brought to the place where the murder was to be done, and whipt thence at a cart to Bridewell, there to remain during their lives, and Dingley to be whipt once a quarter. (4 El.)

Holme and James Cockersall for striking a preacher immediately after his sermon in the Church of Manchester, as he and one Hall, another minister, were walking in the street. Fined and imprisoned. (6 and 7 El.)

Clement *v* Beaufort, for misdemeanours, forcible entry, assaults, taking away a coffer containing deeds, slanderous words at the sessions, &c., &c., Fine £40. 7 El.

Rodney *v* Reynon and al, for divers practises, deceits, and misdemeanours, cozening plt. out of rents, leases, a chain of gold and a cup set with buttons of gold value £100. Pillory once a term for a year. Imprisonment 7 years, &c. (7 El.)

7 Eliz, Att^y. Gen^l. *v* Thyn. Sentence passed on some *supra confessionem*.

8 Eliz. Ordinances for reformation of disorders in printing and selling of books.¹

Shardy *v* Bever. Defendant dismissed, plaintiff fined £10 and to ride in a cart about the city, for that he keeping ill-order in his house, disobeyed the defendant (the constable) when he came with the watch to apprehend some lewd persons that were then in his house.

Humphrey Needham sent to the Tower for slandering the Earl of Bedford and the Bp. of London. (10 El.)

9 Eliz. Constable *v* Whittington. Upon sight of the charter of the Abp. of Durham, the two Chief Justices did certify that the Bishop had *Jure Regalia* and thereby might hear and determine riots. That notwithstanding, this Court of Star Chamber, (in matters where doubt of relief of justice is), may hear riots done within that county Palatine.

¹ 1567. In the Lord Keeper's speech concerning seditious books, he said, "he was no advocate for bloody laws, but it is better to be twice whipped than once hanged."

11 Eliz. *Mervin v Mervin*. The Queen's order for examination of witnesses.

Dr. Drurie and two others convicted of concealing the Pope's Bull sent over into England. Drurie to lose his commissaryship in the Prerogative Court. Fined £500 and remanded to the Tower. (13 El.)

13 May 1574. It was decreed in the Star Chamber that the county of Worcester was in the Marches of Wales. (Lansd. MSS. 160, p. 250)

1567. The Assays made at the Star Chamber shew how much the silver of the moneys is bettered between the assay of the pot, and that of the pyx. The trial of the pyx at the Star Chamber shews only that the moneys have been truly made.

Cooke and others accused *ore tenus* for buying reading and keeping seditious books against the religion professed! Fleet and 100 marks fine. (11 El.)

Chowne and others *v* Fisher and others. For forging and altering a Deed. *To lose both ears, nostrils to be slit, seared with a hot iron, damages to plt, double costs, perpetual imprisonment, and confiscation of his lands.* (16 El.)

Hartnell and others of a Dorsetshire jury, were imprisoned for acquitting a felon. (18 E.)

A grand Jury, committed for perjury in finding *Ignoramus* on an indictment of murder, contrary to open evidence. Fined 20 marks each.

Ampleford and others of a Jury for finding *Ignoramus*, of a riot. Fleet and £20 fine. 19 El.

Atty. Genl. *v* Wyn, one of the riders of Her Majesty's stable. For mounting on a great horse with a great sword to watch the Recorder of London, as he went to Westminster, and beating and wounding him. To the Tower, to remain in chains, to sit in the stocks a forenoon, and 100 marks fine. 20 El.

Dns. Cromwell *v* Edwd. Andrews, as to counterfeiting a grant of an advowson of Alexon—which was pardoned. 20 El.

Henry Woodhouse, vice-admiral of Norfolk and Suffolk *v* Chr. Grante, mayor of Lynn and others the aldermen, for neglecting to aid the admiral to seize two ships in the Haven of Lynn until the title to the said ships should be decided, and for their stubborn answers, that they would neither aid nor resist. Fleet and £100 fine. 20 El.

Gilbert Gerrard, atty. genl., *v* Fr Langherne, sheriff of Pembrokeshire, for not executing a felon convicted of murder, but keeping him 18 or 19 days after judgment. Fined 300 marks; but as he had been imprisoned in the Marches, and there fined for the same offence, that fine was to be part of the fine here. 21 El.

Walter Vaughan, sheriff of Carmarthen, was fined £500 for the like offence. 20 El.

Atty. Genl. *ore tenus*, *v* George Mukete and others, her Majesty's messengers, for defrauding and deceiving her Majesty of money by framing Bills of Allowances, and getting money from the treasurer of the Chamber, &c., &c. Pillory at the Court-gate at Westminster, and also at Cheapside; Mukete to lose his ears and repay the money.

Jo. Sherwin *v* Amorres, for tearing, renting, and defacing a Register Book of Wills belonging to the Deans Peculiar Court of Winchester, which was pardoned and therefore the Court dismissed the debt. 21 El.

Vernon and Vernon *v* Sir John Throgmorton, knt., justice of Montgomery, Jo Price Ar^t, prothonotary of the same county, and Ro Birkenshaw, (clerk in Price's office), for a false certificate of a recovery, plea roll, writ, &c., concerning the Barony of Powis. Sir John sent to the Fleet, and fined £1000 with loss of office, Price sent to the Fleet, fined £500 with loss of office, Birkinshaw to the Pillory here and at Montgomery assizes. 21 El.

Wm. Shales and Wm. Chace *v* Sir Roger Woodhouse, knt., for maintenance in buying a debt recovered against Chace and procuring a riot in environing Shales' house where Chace was. Fleet and fined £10 for the maintenance, and £100 for the riot. 26 El.

Thorpe *v* Toppes, Smythe and wife, for fraud. 24 El.

Bazett, sheriff of Staffordshire, Sir John Bowes, Adderley and Stafford, justices of the peace, were sent to the Fleet, and fined £200 each, for not going to Drayton Bassett, and stopping a riot there. (23 E.)

Tyre, a J. P., for searching for a murderer at the plaintiff's house, when he knew there was no cause so to do. Fined £20. 24 E.

Ap. Thomas and others of a jury were committed for perjury in acquitting for manslaughter. Pillory with papers and fines of £20 to £40 each. (23 E.)

Winston and others of a jury for acquitting a woman of petty treason in murdering her husband. Pillory, papers, and £40 fines.

Morgan and 3 others of a jury for acquitting (upon the evidence of one man), one of slanderous speeches against the Queen. Fined £40.¹

Atty. Genl. v Robt. Archer & al., for counterfeiting the Bishop of Peterboro's seal and making false licences for counterfeit ministers. Pillory in two places with papers at St. Paul's during sermon time. 22 El.

Norwich v Norwich & al., for battery with a bastinado in a lewd manner, pardoned. 22 El.

William Dakyn, for usurping the name of a herald, Norrey king of arms, making deputation to one Massey, signing his hand and two counterfeit seals thereto, visiting several heirs, and receiving £39 for fees, &c., &c. Pillory in every shire where he had practised, and to lose one of his ears. 22 El.

Charles Easterwit, a captain, for leading of soldiers in the county of Somerset: he discharged seven *fit* men, and placed *unable* men instead, for his own gain. To make restitution and open submission at the assizes. 22 El.

¹ Other juries were punished thus—

An Oxford Jury	3 P. and M.	Somerset	6 E. 6.
Lichfield	2 "	Essex	" "
Berks	1 & 2 "	Somerset	7 E. 6.
Somerset	3 " "		19 Eliz.
Norfolk	3 P. and M.	Gloucester	23 Eliz.

Powell ar' a J. P., for cruelly assaulting and beating a poor man; also having bound certain persons over to the assizes for felony, did, for a bribe of C weight of iron, stay back the recognizance. Committed, fined £40, and bound to good behaviour. 23 El.

Vaughan a plaintiff for making the sign of a pair of gallows on a letter or piece of paper, which he sent to the deft. wherein was enclosed the label¹ of the process of this Court for deft. to appear.

Young Wo. v Stanley and others, for enticing away and marrying Jane Young, plt.'s daughter, not 15; the marriage at midnight, by an unknown minister. Fined £500. (25 El.)

Comars v Phillips and others, for carrying away Joan Comars already married to plt. in open church, and marrying her to Phillips. Fine £40 and 100 marks.

Tylley v Meere, for practising² to entice and allure the plt.'s only daughter, being but 13 years of age, to have contracted herself unto him. 100 marks and security for good behaviour. 27 El.

Barnard, for defaming Lord Dyer—that he was familiar with a spirit, and was a sorcerer. 24 El.

Wm. Justice v Hy. Winston and *Thos. Vaughan*, riot—confessed they had disobeyed a proclamation for reformation of long swords and daggers, and hurting plt. with a dagger. Fine £10. (24 El.)

Verre, for malicious counterfeiting of traitorous letters against one *Andw. Ryvett* and *Bygott* whereupon they were sent to the Tower—committed to the Fleet, pillory in Cheap—

¹ Label—The Privy Seal was probably like the old Chancery Subpœna of 1820: the writ was folded up and sealed with rosin or wax, and attached to it was a label (like an Apothecary's label) stating in a few words what the purport of the writ was.

² Practice—This word had formerly a different meaning from what it has at present. The old Law Books say, "The law loves plain and fair practice, and will not countenance fraud in proceedings, nor suffer advantage to be taken thereby, 2 Lill. 342. Private clandestine proceedings in several cases are said to be *by practice*."

side with a paper, to be burnt with a hot iron on either cheek FA., then to be sent to Ipswich and Norwich, there to stand two days in pillory with a paper, but first carried on horseback with his face to the tail, up and down Westminster with a paper and then back to the Fleet.

Atty. Genl. *v* Lovelace, for counterfeiting traitors' letters against his cousin Jarmanies in the name of one of their brothers resyant in Rome; for which he was punished as in Verre's case.¹ (28 El.)

Elizabeth Roe *v* Baron Clench. Plt. ordered to make her submission in open Court for false accusation. (24 El.)

Farnaby *v* Sir John Killigny and others for perjury. Plt. to make submission for false accusation. (25 & 26 El.)

Merreweather and others *v* Meeke and others, for forgery. Meeke, the scrivener, engrossed the deed with the witnesses' names and might have suspected the same, and therefore fined £20 and not to practice as a scrivener. (24 El.)

Sir Thos. Cotton, Knt. *v* Thos. Tutscham. Forgery of a Deed. 26 El.

Atty. Genl. *v* Hugh Erswick, for irreverent speeches of the Bishop, refusing to obey the messenger; beating him with a cudgel; striking a justice of the peace in the churchyard, &c. Fined £500 and remanded to the Marshalsey. (24 El.)

Light and others, gentlemen of Lincoln's Inn and New Inn, for riots and abuses. Dismissed their houses and not to be admitted again.

John Price, a serjeant-at-arms, and two others, for practising to get a warrant from Sir F. Walsingham to arrest Parsons, a jesuit, and by virtue of same searched several gentlemen's houses and made them pay fees. Fined £100 each and pillory. (25 El.) (Price was pardoned by the Queen.)

¹ Un L de Kent gent fuit puny in cel Court pur fauxment and maliciousme't going about de puer un q fuit son cousin ou frere destr' traytor, and pur cel, il fuit order de chivaucher circa Westm' hall ave' son face al taile del cheval, circa 27 Eliz. come jeo oye.*

* Crompton.

Gardner *v* Furrell. Plt. to pay the costs to deft., for administering 45 interrogatories, which were more than the rule of this Court allowed.¹ (25 El.)

22 April. 15 Eliz. The Lord Lumley charged with traitorous offences committed with the Duke of Norfolk, was brought from the Tower. The Lord Treasurer declared that the Queen was contented to have him in this manner called, and not in the King's Bench or any open place, as other like had been; whereupon he was fined 1000 lib, released of the Tower, and committed to the house of Lord Arundell in Nonsuch or Westminster, or wherever Lord Arundell should reside. (Lansd. MSS. 160, p. 16.)¹

3 May. 15 Eliz. The Earl of Southampton was also brought from the Tower and charged for a favourer of the late rebellion. He submitted himself to her Majesty, and was discharged the Tower. (Ib.)²

Hewson and others for the shoemakers *v* the Masters, Warden, and Freemen, Shoemakers, for riot, extortion, and other misdemeanours. Referred to the judges, as the matter stood upon charters and customs—they made their report and certificate, which the Court established. 22 El.

John Pritchard and Foord, for personating other men and pretending they were subsidy men. Pillory and to lose their ears. 33 El.

Atty. Genl. *v* Francis East and Stow, for training two young gents under age to confess an action, taking part of the money and causing them wastefully to spend the rest at Taverns. Imprisoned one year, fined £40, and to be whipt once a quarter. 30 El.

Atty. Genl. *v* Short a scrivener, for framing and dispersing a seditious libel against the Flemings and Frenchmen that inhabited London, threatening them to depart, or otherwise

¹ By a Rule of this Court, (20 El.), it was ordered that no bill, answer or replication should be above 15 sheets (of 15 lines to a sheet), nor should more than 15 articles be exhibited. (Harl. 2143). In *Haste v Halsa*, 300 interrogatories were exhibited, but as the cause was at issue, the Court would not interfere.

² Qy. If this was not heard before *the Council*, but in the Chamber of Stars.

the apprentices and craftsmen would take away their lives.¹ Pillory in several places, imprisonment, and banishment. 35 Eliz.

George Ellis, convicted of counterfeiting warrants for seminaries. He was pardoned, but not till he had lost his ears. (34 El.)

R. Brooke *v* Wm. Fullwood & al., "for procuring one Green that was executed for felony, to accuse plt. as accessory, for which he was arraigned and convicted upon their evidence, and only escaped by his Booke."² Fleet and £50. (31 El.)

Edwd. Talbutt, ar. *v* John Widow, for falsely accusing plt. to have practised to poison the Earl of Shrewsbury, his brother, and for forging a grant of £100 a year in plt.'s name, to add more credit to his plot. Fined £500, pillory in two places, and to ride on a gall'd horseback with his face backward. (37 El.)

Hayward *v* Moore, for maintenance. 31 El.

(1587.) Anthony Dowghtie *v* John Anderson, an under-sheriff. Deft. convicted of perjury and extortion.

30 Eliz. John Arundell, Esq. son of the Duke of Norfolk, committed for going beyond seas without licence, is discharged.

Atty. Genl. *v* John Skynner and John Catcher, sheriffs of London, and John Marfield, treasurer of Bridewell, for apprehending and committing to Bridewell, Mrs. Nowell and Mrs. Newman without cause, and for causing them to be stripped naked to the girdlesteads, and to be whipt there as lewd women most unjustly, and of malice. Committed for six months, Skynner, 1000 m., Catcher, £500, Warfield, £50, to ask forgiveness, and pay the gentlewomen £600 for recompense. 31 El.

¹ Stow says that, in the year 1595, the poor tradesmen made a riot upon the strangers in Southwark and other parts of the city of London, whereupon was a presentment of the great inquest for the said Borough, concerning the outrageous tumult and disorder unjustly committed there upon Thursday, June 12th, 1595, and the leaders were punished, and also the chief offenders. (p. 303.) Other tumults occurred during this reign. (See Burn's History of Foreign Protestant Refugees, p. 10.)

² Benefit of Clergy.

Sir Richd. Knightley and others brought to the bar by the Atty. Genl. for contempt against certain proceedings and decrees against printing, and maintaining those who printed seditious and libellous Books and pamphlets. Committed and £2000 fine.

Atty. Genl. v Carleton Wo., for receiving a printing press into her house whereby divers seditious books were printed. 32 El.

Cots v Goldburn and others, for unlawfully taking away Ann Cots, for a supposed marriage, soliciting her to love him, and she rejecting his love, he then sought by practising, and other undue means and sorcery, and witchcraft, to attain his purpose. Committed, fined £200, and the rest £200 a-piece. 34 El.

Atty. Genl. v Twiste. The deft. being a boy of ten years old, was entertained at the request of his father, by one Wm. Cornwalles, who trained him up in music, and allowed him his avorie, meate and drinke, and £12 a year. He then practised to get more money of his master, rather than his daughter's credit should be touched, (Frances Cornwalles aged 14): he got his brother-in-law Watson to lend Frances ten angels and then got her to give him a bill for the same, which she signed, but he had inserted in it a promise for her to be at his disposition during her life. Pillory at Westminster and Cheapside with a paper, fine 1000 m., and to ask forgiveness of Father, Mother, and Daughter. 36 El.

Atty. Genl. v Wm. Kirkham, her Majesty's sworn servant, for procuring to himself and his heirs deceitfully, a grant in fee from under the great seal of England, of divers the best manors, lands, forests, and chaces, the Queen had in divers counties, by counterfeiting the hand of the Lord Chief Justice, then Atty. Genl. to a bill, pretending it was a confirmation of a grant to him of the rectories of Gosley and Warrington, &c. Pillory and one ear cut off, then three times on sitting days, and lose the other ear and both nostrils slit, marked F in the forehead with a hot iron, perpetual imprisonment, and £3000 fine. 34 El.

Sherrington, a barrister of Gray's Inn, for slandering the proceedings of this Court. Fined 1000 marks, expelled

Gray's Inn, sequestered from practice during his life; and to go up and down Westminster with a paper, declaring his offence. 35 El. [He was afterwards bailed by the Lord Keeper, to return to prison in ten days.]

Ann, Lady Gresham, *Wo. v Markham* and others, for forging three deeds of annuity for £30 and £200, and a bond for £500 in the name of Sir Thos. Gresham, and antedating them—also for forging Doctor Moses's hand to the same as acknowledged before him for enrolment, and commencing a "covinous" suit in Chancery in the name of one White, for the supposed detaining of same deeds, and to give better credit thereto. 35 El.

Same *v Roger Booth, Cuthbert Booth, Josias Kyrton*, and others, for slandering the sentence of this Court, in saying that the deeds were *true* deeds, which tended to the dishonour and derogation of this Court. The defts. put off the hearing from time to time till Lady Gresham died, but the Atty. Genl. informed the Court that he had exhibited an information in his own name, which being openly read, the Court proceeded to judgment. All to the pillory, Roger Booth, 1000 marks fine, the rest £200. 38 and 39 El.

Sir Thos. Savage and others *v Stapleton* and others, for gathering together in the Moate Hall of Marlefield, and there of their own heads choosing another mayor there, and with outcries proclaim him to be mayor, and impugn Her Majesty's letters patent, whereby one Wood was made mayor of the same corporation. 38 El.

Atty. Genl. *ore tenus v Molesworth*, for training one Mr. Harlackenden, a young gent under age, to enter into a statute of £100, to make advantage to himself thereby. The Lord Chief Justice refused to take the statute for that he was not of age, and advised the deft. to forbear; nevertheless he went before Dr. Homes and got it acknowledged, and yet Harlackenden had but £16, and that in commodities viz, *silke stockings*.¹ Fine £100, Fleet and pillory with papers.

¹ It was in this reign that silk stockings were introduced, and it no doubt soon became the fashion to discard the woollen hose for the silken, in imitation of the Queen who had announced her determination to renounce the woollen for ever.

Bedell *v* Sir Edwd. Wingfield, for procuring divers of his men to lie in wait to beat one Mr. Pudsey, a councillor, as he went homeward, for giving evidence for her Majesty upon an indictment preferred by the plt., unless Mr. Pudsey would set down in writing that he had abused Sir Edward in speeches, and inforcing Mr. Pudsey to take an oath on the hilt of a sword. Fine 1000 marks, bound to good behaviour and to make submission in Court. 39 El.

1590. Sir Francis Palmer, Esq. *v* Sir Thos. Fairfax and Son, for riots, arising out of hunting in the night in the park of Mr. Vavasour.

Sir Wm. Hall, Kt., *v* Thos. Ellis, for a libellous letter. Defendant pleaded that it was private and sealed up, and not published, but the Court said that it contained infamous matter and might have led to bloodshed, and therefore punished the defendant.

[Barron *v* Merrice, was a similar case in 13 James, and the deft. was fined 100 marks and sent to the Fleet.]

Atty. Genl., *ore tenus*, *v* Leo. Bapthorpe, a councillor, and John Saunders, an attorney, for giving bad advice to certain persons arraigned before the president of the North for slanderous speeches against the prayer book, advising them not to answer the indictment, whereby they took boldness and would not answer. The councillor sent to the Tower, fined £100, and sequestered from practice. The attorney to be pilloried, fined £6 and not to practice as an attorney.

Wm. Buttle *v* Simon Harcourt, ar' and J. P., for taking plt. from his horse, leading him bare-headed to his own house, putting both his legs in the stocks, which he called "Buttle's Business," lying him on his back 3 or 4 hours, then removing him to the cage and putting him in the stocks again. Fleet, fine £200, and to be put out of commission. (19 El.)

14th Eliz. Pyne *v* Hill. Information for forgery. Sentence against defendant.

34 Eliz. Brereton *v* Starkey. Deeds damned, notwithstanding the pardon pleaded,

Atty. Genl. *v Phillips*. Defendant sentenced in this Court, for delaying the execution of a prisoner convicted, notwithstanding he was sentenced in the Marches of Wales for the same offence.¹

36 Eliz. Atty. Genl. *v Owen*. Defendant sentenced for beating his grandfather. To be whipt before the picture of his grandfather, he being unable to come to the place where it was to be executed.²

1577. Peter Blackborough *v* the Clothiers of Wilts and Somerset.

41 Eliz. Standen Clarke, of the Petty Bag Office *v* Wm. Bullock, for fraud.

41 Eliz. Ann Strangways, widow of Giles S., deceased, *v* Baptist Hickes, for procuring an infant to enter into a recognition. Imprisoned and fined £100.

42 Eliz. Edward Ap. Meredith *v* his Tenants, for maintenance.

42 Eliz. Stroggs *v* Peake and Gray. For examining witnesses.

Attorney General *v* Smith and Fisher, prisoners in the Fleet, for a slanderous petition against the warden of the Fleet—to be kept close prisoners and to have corporal punishment.

42 Eliz. Fulton *v* Anderson. Cross suits for forgery.

Atty. Genl. *v* Clarke, Crooke, Higgins, and others, for riots.

Black *v* Allen, forgery.

¹ See similar offences, ante p. 54, &c.

² By another account in the Harleian MSS. No. 2143, it seems that the grandfather, Piers Holland, aged 84, died a year and a fortnight after the assault which was committed as the old gentleman was walking privately in his grounds. When Owen was committed to prison, he was not to be discharged without her Majesty's special order, he was to be carried to Abergally, and at a Fair time there, to be severely whipt, being stripped stark naked, "before the picture of his said grandfather which must be as much like him as may be." 2000 marks fine, and the rest of the defendants (who stood in view where the fact was committed), sent to the Fleet with £300 fine, &c.

42 and 43 Eliz. Elizabeth Stretley *v* Thorn and others. "Pur riot al imprisonment in meason al mureing up le (plt.) in a wall 4 jours." Damages £800.

44 Eliz. Holwood *v* Paschall Cockayne, Beverley, and Wante and his Wife, and others. Wante and his Wife censured for a libel of incontinency and for repeating a great part of it in the presence of divers persons.

Page *v* Fullchamber. Fullchamber was divorced from his wife for her incontinency, and afterward married Sarah Page (plaintiff's daughter). The Court declared the marriage void, the divorce being only *a mensa et thora*.

Bellew *v* Brookes and others. Riot.

16 May 1582. Vallinger, *ore tenus*, for libels against the Government and religion. The MS originals were found in his lodgings. Fine £100, pillory one day at Westminster and one day in Cheapside, and to lose an ear at each place, and imprisonment during the Queen's pleasure.

1583. Sir Robt. Stapleton, Wm. Sisson, Barnard Bland, and Alex. Furboys were accused in this Court, "An impudent harlot was conveyed into the chamber, yea into the bed of the Abp. of York, to bring upon him a horrible slander." Alexander, the chamberlain, was sent to the Fleet for three years, to be set on the pillory one day at Westminster and one at York, and to lose an ear at each place, to pay £5 and be banished the realm. Maude to be pilloried at Westminster and York and pay £300. Sisson to be pilloried at Westminster and York and pay £500. Sir Robt. to be "disgraded"¹ from his knighthood, 3 years' imprisonment, and £3000 fine. All the parties to restore to the Abp. the £700 extorted from him: and Maude to cancel the release of actions, and to ask publicly at York forgiveness of the Abp.²

Rodney *v* Sir Henry Barkley, high-sheriff and deputy-lieutenant, for not assisting other Justices to suppress a riot, and speaking to the grand juries to favour the rioters.

¹ In this and many other instances the exact words used by the Reporter, have been retained.

² Harl. MSS. 6265, 4990. The interrogatories for the examination of Sir Robert, are in Lansdowne, MSS, No. 37, 19.

Ratcliff *v* Lane. A commission renewed after publication of evidence, because the plague was in the town, and the defts. attorney had not seen the depositions. 32 El.

Atty. Genl. *v* Wood als Browne. The deft having her Highness's livery coat on his back, and representing himself a purveyor of wheat for the ships, ordered persons to bring wheat to Hertford, and took money for excusing others—Pillory, an ear nailed, the coat to be pulled off his back, and to hang by, while he was on the pillory, and £20 fine. 20 El.

Thomas Morrison, the like punishment for pretending he had a commission to enquire of the breach of the statute touching the assize of wood.

JAMES.

1603—1625.

[The following twenty cases are extracted from the volume in Norman-French, Harl. MS., 1227.]

1604. Isabel, Countess of Rutland, widow of Edwd., Earl of Rutland, *v* Wm. Millard, citizen and Goldsmith, Thos. Stevenson, serjt. at mace, Jordan and Fermor, two of the yeoman, and Wm. Cawtrell, servant to Mr. Millard, and Stone, secondary of the Counter in Wood-street. Sir Edwd. Coke alleged that the bodies of peers and nobles were free from arrest—"ensemble al Coach de Countesse la passant, et "Jorden and Fermor ject leur maynes sur les chival et eux "faite et Stevenson approch al Coach et missant son mace al "brest de le Countesse, dit q il luy arrest," and made the coachman drive the coach from Aldgate to the Compter—Millard, £200, Stevenson, £200, Pillory, &c. (This case occupies four or five pages.)

Le Seignr. de Sturton is accused *ore tenus* by the Atty. Genl., with contempt of the King,¹ in not coming to the

¹ Under the comprehensive name of Contempts of the King's authority, all offences against the State were included.

Parliament, and is fined 6000 marks, and Mordant 1000 marks, and to remain in the Tower during the King's pleasure.

Stockwith and others *v* North and others. North, sheriff of Notts. for taking money in 43d. Eliz. for gaolership, &c.

The Earl of Nottingham, & Domi'um Russell, for a riot at Donnington Castle and in the Park.

Seignr. Grayes de Grobie *v* Perkins and other tenants of his manor of Broughton Aston Co., Leic., for petitioning the King as to the customs of the manor, and joining in the expence.

Sir John Lambe¹ complains of several persons for false and scandalous libels in the Town of Northampton, of the ministers and officers of the High Commission.

Stone *v* Walter and others, poulterers of London, on a charge of robbery, &c.

(Sir Thos. Palmer, (called Buskin Palmer) who temp. E. VI., was attaint of treason, is accused; also Tunbridge, Wisman, and others, at the suit of Jepps, as to the title to Laud.)

Sir Anthony Ashley, Chevr. *v* Sir James Crewton, Chevr. (a Scotchman), and others for conspiring to accuse Sir Anthy. of murder.²

¹ Dean, (afterwards Bp.), Williams got Lambe made a "*Doctor*" at Cambridge. In 1620, Articles were preferred against Lambe in the House of Commons, by persons in Northamptonshire, when the Dean befriended him, and extricated him from the charge, and afterwards got him *knighted*. When a third petition against Lambe was proposed, Sir Edwd. Montague discouraged it, for fear, as he facetiously observed, "that his friend who had made him *doctor* and *knight*, would make him a *Baron*." Life of L. Keeper Williams and see Burn's High Commission, p. 42.

² A case was cited on the hearing of this cause in which "le paper discover per le make de Spilman destre English paper." Spilman established at Dartford in Kent, one of the first Paper Mills.

Six hundred men are set at work by him,

That else might starve, or seek abroad their bread,
Who nowe live well, and go full brave and trim,
And who may boast *they* are with paper fed.

Churchyard.

And see Burn's Hist. of Protestant Refugees, p. 263.

9 Jac. Randolph Carew of Lin. Inn, Armr. *v* Sir Thos. Vernon, armr. and George Vernon his son, utter Barrister of the Inner Temple.

10 Jac. "John Hercy, plt., *v* Sir Anty. Barker, chivr., Robt. Wright, D D., Thomas, counsellor at law, Tip Ravensworth, et un pover mayden, per forgerie del testament del Margeria Payne."

11 Jac. Count de (Lunglowe) and Sir Wm. Standish, for riotous hunting.

Talboot, who was English, but being in Ireland and professing the common law there, was seditious in the Parliament of Ireland.

One Hutchest of Hockington in Surrey—concerning a challenge with rapiers.

Trinity T. 12 Jac. "fuit oye le case per information vers Sir John Yorke et sa feme et plusors autres pur admyttinge de certaigne comon Players, viz—les Simpsons de player in son meason un interlude in q la fuit disputation per entes popish priest, et English ministers, et le priest est de convince le minister in argument al le weapon de le minister estant le Bible, et le priest le crosse, et le Diable fuit counterfeit de le prendre le English minister, et un angle prist le priest—per q interlude le religion ore professe fuit grandment scandele, et plusors del audience fuerunt recusants come le feme Sir John Yorke et son frere Richard Yorke et 7 autres et le resiens, ses amyes, tenants et allyes quaux (mult) deride et applaude le play."

11 Jac. Rowland Hyndes *v* Henry Manfield, armr., concerning a wharf called Headshire at Cookham between Bucks and Berks.

12 Jac. Whinell, plt., *v* John Strowde, armr., as to misdemeanours in his office of Justice of the Peace.

A Suit between Sir Hy. Day, chevr. et Anne sa feme, al Nicks. Benningsfield et Eliz sa feme *v* Ann Hungate, widow of Sir Robt. Viner, chevr., Thos. Townsend Branthwaite, armr. (nunne), al Thos. Blofield, gent. Hy. Hogan, Esq., was premier Baron de Anne Hungate, and was seized of the Manor of Hamonds and East Bradenham in Norfolk.

12 Jac. Thos. Francis, armr. v Charles Ley and others. Touching a right in the Church or Chapel of West Buckland, Somerset. In the north isle were two great windows, in one of which was drawn a superstitious picture of former times and also an inscription,

“Orate pro bono statu Johannis Ley als Ferthinge et Margera uxoris suis qui hanc vitriari fecerunt.”

in the other window were the arms of the Percies and others their ancestors, and said to belong to the owners of the mansion of Garlaston. In this north isle, Charles Ley caused a grave to be made and interred Cecil Clarke his mother.

The lieutenant of the Tower and Sir Francis Bacon sue Oliver St. John, armr. of Wilts. Letters being sent to Marlborough for money for the King, St. John wrote that benevolencies were contrary to Magna Charta.

1618. Nathl. Brent writes to Carleton, “His Majesty makes meery with the opinions of a new Sect called ‘Thrascasts.’ Their leader Thrasca is in prison, and the Ecclesiastical Commission has them in chase.” It was perhaps the Star Chamber that sentenced the leader, who taught the unlawfulness of eating swine’s flesh. He was sent to prison and ordered *to be fed upon pork*. (Hargrave’s Collectanea Juridicale, vol. ii. 225.)

19 Apl. 1606. One Stockman, deputy-purveyor to Sir H. Sackville, chivaler, *purveyor pr le toyle*, was fined for taking 57 elms at Fulham.

1606. Rd. Richards accused of taking fines and compositions as a purveyor of beans and peas, *pur faire horse-breads et brown-baker*—this case and the punishment occupy a large space in the MS.

Sir Wm. Kingsmill was sued in this Court and fined £500; the King granted him a pardon and a remission of the fine. (S. P. O.)

Thomas Bland was convicted of perjury, but the King pardoned him of all the *corporal* punishment imposed by the Court. (S. P. O.)

1608. Sir James Whitelock in his *Liber Famelicus* mentions the riots, suits and annoyances of Sir Wm. Pope, of Wroxton, relating to a farm near Witney. Sir Wm. was sent to the Fleet, and Sir James only stopped these proceedings by filing a bill in the Star Chamber.

6 Jac. In a Suit, Sir Walter Leveson was fined £300; Sir Edwd. Littleton, of Menwell, Staffordsh., £100; Wm. Camberfield, £100; Roger Fooke, 500 marks; Wm. Smythe, £100; Robt. Drakeford, £13 6s. 8d.; John Barnsley, £13 6s. 8d.; John Wassall, £13 6s. 8d.; John Forsfield, (£13 6s. 8d.) If the last three cannot pay, Sir Walter must.¹

1616, 27 Nov. Lord Darcy *v* Gervase Markham, Esq., for writing and publishing scandalous letters to provoke a duel. They were hunting at Sir Gervase Clifton's and quarrelled about a hound. (Harl. MS., 6807 has a long discussion on the subject of Duels.) £500 fine and imprisonment.

1612, 17 Dec. "The next day after the Term, Sir Rd. Cocks and five others were fined, some at 3000 marks, others at 1000, and the last at 500, for reporting a hearing somewhat concerning the Lord Privy Seal," the Earl of Northampton. (Chamberlain to Carlton).

About the year 16(06), Sir Robt. Dudley, Knt.² (with others), was sued in this Court, for pretending to be the lawful son and heir of Robt., late Earl of Leicester by the Lady Douglas Howard his alleged wife. It appears that he had sued his own man in the Ecclesiastical Court (held at Lichfield in consequence of the Plague in London), for calling him 'Bastard,' with a view of obtaining a sentence of legitimacy and of perpetuating the evidence to be used on some future occasion, whereupon Sir Edwd. Coke, Atty. Genl. filed his information in the Star Chamber against Sir Robert, and his mother, and Sir Thos. Leigh, and also Dr. Babington

¹ In the 16th Eliz. a Rule of the Star Chamber was made, that in riots, the master was to pay the costs of his servants, if they had acted by his procurement. (Harl. 2143, p. 27.)

² He was the illegitimate son of the Earl of Leicester, who was the grandson of Edmund Dudley, beheaded in 1448 and mentioned at p. 32.

the judge of the Ecclesiastical Court, and several others—four or five of the defendants were found guilty. This Court stayed all the proceedings in the Ecclesiastical Court, but gave Sir Robert leave to examine witnesses in the Star Chamber. It is said that 90 witnesses were accordingly examined on one side and 70 on the other, but that the depositions were ordered to be sealed up,¹ which caused Sir Robt. to leave the kingdom² and settle at Florence where the Grand Duke of Tuscany created him a duke, and he therefore styled himself the Duke of Northumberland.³

The Earl and Countess of Exeter and Luke Hatton v Sir Thos. Lake and his lady, the Lady Roos, Sir Arthur Lake and Sara Swarton.⁴ The defendants conceiving malice against the Countess, with reference to the Manor of Walthamstow, charged her with incest with Lord Roos, and with poisoning of Lady Roos by a glyster and syrup of roses—also that on the death of Sir James Smith her first husband, she was contracted to Sir Francis Crane, and gave him £4000 for breach of contract when the Earl of Exeter became a suitor to her. ✓

This cause created great excitement—on the first day of hearing in January 1619, the Countess was attended to the Court by thirty coaches of ladies, who made this demonstration in her favour. (Chamberlain to Carleton). A great many witnesses were examined and on,

¹ The decree is printed at length in Dugdale.—Baronage, ii. 223.

The proceedings in the Star Chamber were searched for on behalf of the Crown, in the L'Isle peerage case in 1826, but without success.

The Atty. Genl. charged Lord Sheffield with *maintenance* merely because he stood in Court to hear this case, Sir Robt. Dudley being his half-brother. The charge however was dismissed as unjust. (State Papers.)

² In 1605 he had a licence to travel for three years which was withdrawn in 1607. He was a man of considerable attainments and was much esteemed both at home and abroad.

³ De L'Isle Peerage case by Sir H. Nicolas—at p. 413, is a copy of the patent (20 Car. I.) creating his wife Alice, Duchess Dudley.

⁴ There were also cross causes of Secretary Lake v Luke Hatton, also Sir Thos. Lake, jun., v the Earl and Countess, Elizabeth Graham, and George Gwillim.

Feb. 13, 1619, the King sat in the Court and compared himself to Solomon, called to decide between two women to find out the true mother—that in this foul practice, Lady Lake was the *author*, Lady Roos, the *actor*, Sir Thomas Lake the surety and *tool*, Sir Thos. Lake, jun., the *accuser*, Sir Arthur Lake, chief and *accessory*, and Sara Swarton an impudent and shameless *instrument*. The King bade all secretaries beware of trusting their wives with secrets of state. “He then spoke long and well, comparing (secretary) Lake “to Adam, Lady Lake to Eve, and Lady Roos to the “Serpent.”¹ The sentence was, Sir Thos. Lake and wife, fined £5000 each; Lady Roos, 10,000 marks; Sir Thos. Lake, jun., £1000 with imprisonment in the Tower for life; Sarah Swarton fined £100 and to be whipt and branded, and imprisoned in Bridewell for life. Damages to Lady Exeter £4000, to Luke Hatton £500.

The Earl of Northumberland was prosecuted *ore tenus* for being privy to the Gunpowder Plot, and was sentenced to pay a fine of £30,000 and to be imprisoned for life.²

1614. An information against Wm. Priest, gent., for writing a letter of challenge to Rd. Wright, Esq., “together with a stick that should be the length of the weapon.” The defendants were to acknowledge their contempt at the assizes for Surrey.³

¹ S. P. O., vol. cv. No. 96. Chamberlain to Carleton.

Hudson says that “His Majesty’s excellent judgment, *with more than Solomon’s wisdom*, heard the cause for 5 days, and pronounced a sentence more accurately eloquent, judicially grave, and honorably just, to the satisfaction of all hearers, and of all lovers of justice, than all the records extant in this kingdom can declare to have been at any former time done by any of his royal progenitors.” p. 9.

² It is said that he was convicted upon admission of immaterial circumstances, aggravated and distorted into confessions. Hudson says, “by what rule that sentence was, I know not, for it was *ore tenus*, and yet not upon confession.” With a view to the difficulties arising from the proceeding by information and interrogatories Lord Bacon discouraged the King from adopting this mode of proceeding in the matter of the pursuivants, saying that “the Star Chamber without confession was long seas.” Bacon’s Works III, p. 372.

³ Sir Francis Bacon’s charge and the decree were printed. Brit. Mus. 517, k. 3.

5 Jac. *Young v Harlackenden*. Divers defendants charged with forgery—two who procured the deed to be forged, to be fined and pilloried, he that drew, and he that engrossed it, acquitted.

12 Jac. *Gibbs v Clark* and another. Defendant sentenced for impounding the plaintiff as a beast.

13 Jac. *Elliot v Weblin*. Defendant committed for arresting plaintiff when he came to serve him with Star Chamber process.

Jo. *Smith*, plaintiff, committed for serving process in the church after divine service ended.¹

14 Jac. *Littleton, widow v Lowe*. For preferring a scandalous and untrue petition to His Majesty and for a libel. Fined, pilloried, security for good behaviour. Damages, £200.

Farrier and another v Oldfield and another. For a practice to retract under their hands their former testimony.

Lord *Montague v Luttesworth*. The Atty. Genl. Sir Francis Bacon sat as a Privy Councillor in this Court.

13 Jac. *Atty. Genl. v Comber*. A *ne exeat Regno* against the defendant for that he swore he would depart the kingdom rather than he would marry.

27, June 1610. Sir Thos. Lucy, of Charlecott in the county of Warwick, knight *v* Wm. Wall, gent., Rowland Harnage, gent., Rd. Bennett, Symon Phillippes, Henry Holoway, Gerard Lawley, and others, who being arrayed with "gunnes, fowlinge peeeces, crossebowes, swordes, rapiers, daggers, fawchions, pyke staves, and such lyke weapons," did ride on horseback to the plaintiff's park taking with them greyhounds to hunt and kill deer there, and did kill, take, and destroy divers deer, bragging of their doings and giving out that they would come again. (N. & Q. 1867, p. 181.)

¹ There are many notices of the service of process in churches, as if such service was regular and lawful; yet in the above case the plaintiff is committed for such a service, altho "after divine service ended."

In 1632 Lord Lovelace complained in the High Commission Court against George Amy for serving him with a subpoena in the Church of Hurley, Bucks. (See Burn's High Commission, p. 46.)

On the 29th Nov. (7 Jac.) The Court ordered that the decree of the 40th Eliz. concerning divided tenements should be put into execution.¹

1604. Adrian Smissarte, a merchant of Antwerp *v* — Pepper. Convicted of an attempt to defraud him of pearls, value £832.

1613. Sir James Whitelock, a barrister and afterwards a judge, was brought before this Court on the charge of having given a private opinion to his client, that a certain commission issued by the Crown was illegal. This was said to be a high contempt and slander of the King's prerogative. But after a speech from Bacon in aggravation of this offence, the delinquent was discharged on a humble submission. State Trials II. 765. and see Whitelock's *Liber Famelicus*, p. 34. where Sir James says, that an opposition to the Prerogative was "a Thing his majesty did more impatiently heer of, than any offence touching himself." With reference to his discharge, "the King toke special notice and good liking of the sentence out of Tacitus with which I concluded my submission—*Tibi summum rerum imperium Dii dederunt, nobis obediencie gloria relicta est.*"

In 1613 it was ordered that all persons going abroad to fight duels should be censured in the Star Chamber, and "two very young gentlemen (Mr. Christmas, of Essex and Mr. Bellingham, of Sussex) were fined £1000. The King for the first time came to the Star Chamber" to give sentence against duels, on which he before published a sharp edict, and now desires the prisoners to stand forth. His Majesty wishing to signalize his entry into his Court of Judicature by an act of mercy, remits the fines.² (Throgmorton to Carleton.)

¹ See Particulars of the divided tenements under the date of 1636—post.

² The King made a speech on the occasion (12, Feb., 1616) of which (Sir Julius Cæsar) noted the heads. The King was sorry and glad—sorry that these gentlemen have so acted,—glad of this occasion to be present; these gentlemen are the cause of their own punishment—gentlemen of the Temple, learned lawyers, a tavern, works of darkness, in places of darkness, not to frequent plays, where the smoke of tobacco, and painted ladies should deter them. Lansd. MSS., No. 160, p. 302.

1614. Sir Stephen Proctor was fined £3000¹ for trying to involve two Yorkshire knights about the powder plot. (S. P. O.)

1618. The Countess of Shrewsbury was in contempt for not answering about Lady Arabella Seymour's² pretended child. Fined £20,000³ and imprisoned in the Tower for life! (S.P.O.) [She was still there on the 9th Oct., 1623.]

1618. Lady Coke took proceedings in this Court against her husband, the learned Sir Edwd. Coke.

¹ How was this? In Coke's Institutes, p. 64, it is stated that in 12 Jac., there was an information against Sir Stephen Proctor, Birkenhead, and others for conspiracy and scandal of the Earl of Northampton and Edward, Lord Wotton, two of the Privy Council. The "presence" was eight, four voting for their guilt and four against it; and so nothing was done. See an Account of Northampton & Proctor in Harl. MS., No. 1227.

² The melancholy end of Lady Arabella Stewart, is an historical fact. Her life and letters have been recently published by "Elizabeth Cooper." After her death in the Tower, the King was disconcerted by rumours that she had left a child by her marriage with Wm. Seymour, such an event would have affected the succession and James was determined to ascertain the truth. The Earl of Shrewsbury was a kinsman of Arabella and his Countess was charged in the Star Chamber with conniving at her flight beyond sea and refusing to answer. She alledged that she had made a vow and would not answer but declared her disbelief in any child. The Earl of Northampton writing to the King says, "Lady Shrewsbury was the only contriver of her bedlam opposition to the King, and her purse the only instrument of Arabella's escape, she having given Lady Arabella £850 for some things which she had, belonging to the Queen of Scots. S.P.O. 1635. Having been forcibly removed towards Durham she was taken ill at Highgate and allowed to stop there, watching her opportunity she disguised herself "by drawing a pair of great French fashioned hose over her petticoats, putting on a man's doublet, a man-like peruke, with long locks over her hair, a black hat, black cloak, russet boots with red tops, and a rapier by her side." Court and Times of James I.

³ The King grasped at the exactions of this Court; a warrant was issued for £2200 out of the first monies of this fine, to be paid to Adam Newton for the use of Prince Charles. (S.P.O.) King James was informed that the Hollanders had drawn his picture with his pockets hanging out, empty of money. He was doubtless poor, but he was also mean, for all the Star Chamber fines of Queen Elizabeth's reign, were called in, in spite of the general pardon. (S.P.O.)

The Lansdown MS. No. 390 is thus indorsed, "precedents of withdrawing suits out of the Star Chamber, upon the defendants' petition and *submission to the King*, after answer and pleading not guilty, and p'fs. produced in part," and in another place "precedents of the King's mercy to great offenders on their *voluntary submission to his order*." After what has been noticed, it may fairly be presumed that "voluntary submission" meant something more substantial than repentance for the past and amendment for the future.

1619. *Speake v Moore*. For a fraudulent deed of gift.

1618. There was an information laid against 160 Dutch men for exporting seven millions of gold, a *Ne exeat Regno* granted.

1619. The Earl of Suffolk, his lady, and Sir John Bingley, clerk of the Tallies, were accused in this Court, "for fraudulent dealing concerning jewels, the ordnance, and the alum works, and for malversation of the King's Treasury, and extortion on the subject." Sir Edwd. Coke and others voted for a fine of £100,000 on the Earl and Countess and £5000 on Sir John, but it was finally settled at £30,000 and £2000.¹ The Earl and Countess were sent to the Tower, and Sir John to the Fleet. (S.P.O.)

1614. Sir Rd. and Lady Mary Egerton *v* Sir Thos. and Rd. Brereton, Dorothy Lady Townshend, and others. For destroying the will of Sir Randall Brereton and forging another. The parties were fined, but Sir Henry Townshend being innocent, refused to pay the fine, but the Court decreed against his goods for the fine. (See Harl. MS., 1227.)

(1616.)² John Raby, a poor barber, was sentenced for drawing his sword in defence of his master. (In 1628, Sec. Conway writes to the Lord Keeper to mitigate the sentence "passed ten or twelve years ago.")

9 June 1618. A bill filed by Wm. Shakespeare, of Rowington, Warwickshire, husbandman, against John Shakespeare, Thomas Shakespeare, Edmond Fowler, and Thomas Sadler, for relief against a decree in Chancery and alledged false evidence. [See Mr. Knight's Communication to N. and Q., August 1867.]

¹ Audley end was found to be stript of furniture, at which the King, missing his £30,000, was much displeased, and threatened the Earl with another Bill in the Star Chamber. (S.P.O.)

² "On the 20th June in this year, the King sat in person in the Star Chamber and made a large speeche, to the admiration of the hearers *speaking more like an angel* than a man." (Lord Carew to Sir Thos. Roe.) But at the King's famous conference at Hampton Court, the Archbishop said, "Undoubtedly your Majesty speaks by the special assistance of God's Spirit." The Bishop of London, not to be outdone, adds, "I protest my heart melteth with joy, that Almighty God of his singular mercy, hath given us such a King, as since Christ's time, the like hath not been." Fuller, p. 20.—Burn's High Commission, p. 26.

The East India Compy. *v* Ball, their factor. Examination as to the value of the Diamonds he bought for himself or for the Company at Misselapotam, and as to where they were.

John Hill, of London, yeoman, *v* Geo. Morton. Hill, having occasion to travel into Somersetshire, was asked to serve Morton with a subpoena, and on the 6th of May, at the house of one Arthur Hopton, Esq., at Charterhouse, Whit-ham, he delivered it to Morton, who swore that if it had not been in Hopton's house he would have stabbed him. Hill then left, and when he was a quarter of a mile from the house, Morton and five others with bills, and Morton in a coat of mail, made him alight from his horse, when they beat him, *and made him eat the subpoena*, which continued a long time in his stomach.

Jones *v* Dr. Barker. For commuting penances before they were enjoined, or the act entered.

In 1617, "Inigo Jones had a design for a new Star Chamber which the King would fain have built, if there were money." (S.P.O.)

Thomas Large, of Hollington, Sussex, was for some offence fined £40, which fine was granted to him and his brother John, upon their surrendering a Privy Seal for £30 lent by their late father, John Large, parson of West Dean to Q. Eliz.

1621. Sir Henry Yelverton, the atty. genl., was accused in this Court, of passing some clauses in the City Charter, not agreeable to the King's warrant. The case lasted three days. He was fined £4000¹ and sent to the Tower. (Coke alone declared for a fine of £6000.)

¹ This was not the first £4000 the King obtained from his attorney general. In a conversation with his friend Sir James Whitelock, Mr. Attorney said that "he neither gave to the Earl Buckingham nor to any other subject in the kingdom on farthing to cum to the place, but when the business was done and no expectation of any thing, he went privately to the King and told him he did acknowledge how like a good master and worthy prince he had dealt with him, and, although he never was mention speeche or expectation, yet oughte of his dutye, he wolde give him £4000 readye money. The King toke him in his armes, thanked him, and commended him mutche for it, and tolde him he had need of it, for it must serve even to buy him dishes, and hurried him off with it to the Privy Purse, for fear perhaps that Buckingham should intercept it." (Liber Famelicus, p. 57.) Pye, a servant of the Earl, told Yelverton that Sir James Lee had offered \$10,000 to the Earl for the office.

1620. Rowland Ridgley was fined 200 marks for misdemeanours in Agarsley Park, Needwood Forest.

1619. Sir Thomas Metcalf, of Nappa, Co. York, was summoned to this Court and put in two recognizances of £500 each for his appearance. They were forfeited and granted to John Robinson.

June 22. In the case of Richd. Coxe or Cocks, alderman of London, who refused to serve as sheriff, having transferred his lands, &c., to his children, so that he was not worth £5000—it was decreed that he should enter into a Bond of £1000 to appear in Guildhall on Michaelmas day, and take on himself the office. [He was at last dismissed on payment of £400.]

Francis Newton, of London, fined £1020 for selling by deceitful weights.¹

Wm. Dendy, for forging a writ of outlawry, was fined £500 with the pillory and corporal punishment. (The corporal punishment was afterwards remitted, the fine retained.)

Philip Burlamache,² Wm. Curteen, Robt. de la Bar, Moses Tryon, Matthew de Quester, Arnold Lulls, and Jaques do Beste, (alien merchants of London), were fined £4000, £20,000, £20,000, £20,000, £8000, and £7000³ for exporting coin.

¹ This fine, (together with Griffin Smith's fine of £300 reduced to £30, and Francis Hale's fine of £100 reduced to £10), was granted by the King, to Edwd. Smith, yeoman of the guard.

The Archbishop of Canterbury was no doubt grieved to see these heavy fines pounced upon by the King or given to his favourites—the archbishop writes to the Lord Treasurer on the 22d April 1613, "that when we set the fine so high on Hict, it was with the intention of lowering it on petition. But for the giving away of the fine, I know not what to say. If your lordship shall think fit to move his Majesty against such grants, I will join with your lordship in it, and try whether we can give a stop to that which flameth out so liberally. But in times past the Lord Treasurer did repute it a part of his office to make stay of such overflowings, and not leave it to other men. But sure I am that there is not a fine of any worth set with us, but it is immediately begged and given away." (Ashmole MSS, 1729, p. 162.)

On the 31 May, 1623, Henry Parker, late deputy clerk of the Star Chamber, advises the creation of an office of "*Prosecutor of Fines in the Star Chamber*" in order to prevent abuses, and requests to have the office. (S.P.O.)

² Burlamache's fine was reduced to £4000, De la Bar's to £5000, and Tryon's to £5000.

³ These last two fines were granted to Sir John Erskine.

John Wraynham was fined £1000 with the pillory, and loss of ears, for presenting a slanderous petition to the King against the Lord Chancellor.

1623. A bill against the Earl of Oxford for scandalous speeches against the Government. [In Feb. 1624 the offence was forgiven, and the bill was to be taken off the file.]

Havers and others *v* Smith, Stannard, and others, for accusing plaintiffs of conspiring to obtain their estates.

Thos. Steadman *v* Ralph Ward. "For perjury and forgery, by which he disinherited five poor lame and impotent orphans. Steadman petitioned the King for that his bill had been dismissed by a false witness."

Sir Thos. and Lady Burton prosecute "Young Thorald," who married the lady's daughter without her consent; they also sue him in the Star Chamber, but he obtains a pardon before the bill is filed.

Jan. 4. Robt. Gibson sues Thos. Lane, alderman of Norwich, who stopped the Coronation rejoicings on account of the plague.

Fras. Rogers *v* Harrington. Lady Rogers left her goods and chattels at Bath to her daughter Mary, Lady Harrington, and residue to plt., who charges deft. with removing plate, &c., from the lady's residence at Cannington.

1623. The tenants of the Barony of Kendal were sued for combining to oppose the proclamation for abolishing "Tenant right." The King by his letter wishes all who combine to be punished.

1623. Certain carriers were fined for carrying greater loads than allowed by proclamation.

1623. Sir Fras. Englefield was fined £3000 for accusing the Lord Keeper of bribery. The sentence was thought to be hard, being hastily pronounced on the evidence of one witness, Sir Miles Sandys. He was afterwards pardoned.

1625. George Ball was fined 1000 marks, which was afterwards granted to Patrick Abercromby. (S.P.O.)

CHARLES.

May 7, 1629. Information filed against Sir John Eliot, Denzell Holles, Benjn. Valentine, Walter Long, Wm. Coryton, Wm. Strode, John Selden,¹ Sir Miles Hobart, and Sir Peter Heyman, for their conduct in the House of Commons on the 25th of Feb. last.

Thos. Visct. Wentworth *v* John Lord Savile, comptroller of the household. Fined £100.

1630. A bill against Francis, Earl of Bedford, Robt., Earl of Warwick, John, Earl of Clare, Sir Robt. Cotton, John Selden, and Gilbert Barrell—for *divulging* a seditious pamphlet in MS, "projecting means to enrich His Majesty and bridle the impertinence of Parliaments," and how the Kings of England might oppress the liberties of their subjects and for ever enslave them and their posterity.²

1629. John Trott, of London, silkman, for false dyeing was fined £3000, but pardoned on payment of £2000 by way of composition.

1631. The Atty. Genl. *v* Henry Hoskins and 87 others, for a riotous destruction of Inclosures in Gillingham Forest.

1632.

CAUSES APPOINTED FOR OCTOBER AND NOVEMBER.

Atty. Genl. *v* Steward and others—Riot in Feckenham Forest
 Sir Thos. Pelham *v* Walter Double and others—Riotous hunting.
 Jane Medcalf *v* Chrstr. Seaborne—Forgery.

¹ Selden narrowly escaped the pillory in 1618 on account of his book on Tythes. See High Commission, p. 37 and Hymn to the Pillory, post.

² See Sir Simonds D'Ewe's account of this affair. Sir Robt. Cotton, whose collection of MSS are in the British Museum, was sent to the Tower.

Elwood	<i>v</i> Sir Edw. Deering—for Contempt.
Plummer	<i>v</i> Goldwire—Perjuries and Conspiracy.
Lord Berkeley	<i>v</i> Poole and others—Riot in Gloucestershire
Lee	<i>v</i> Champion—Riot in Surrey.
Atty. Genl.	<i>v</i> Sir Edw. Peyton and others—Riotous waylaying and provocation to fight.
Trevanion	<i>v</i> Sir Fras. Vivian, Hannibal Bonithon, John Wilkinson, and Henry Teage—for misgovernment of the Castle of St. Mawes. Sir Francis fined £2000 as Captain.

Several London Silkmen were informed against for false dyeing, and George Melville and others were to have £1500 out of their fines, for discovering the abuses. (S.P.O. 1630.) ¹

Nich. Bacon *v* Sir Hy. Anderson and Mary his wife and others, for a conspiracy to waylay Nicholas. Sir Henry and his son fined £300 each, reduced to £60.

1632. Atty. Genl. *v* Sir Thos. Cornewell, Wm. Hughes and others. "For denying Christian burial at Burford Chapel, Salop, to the body of Wm. Fox, a gentleman of an ancient house, also for taking the body out of the grave carrying it to Greet in a cart, and then throwing it near a swine styte."

Edw. Morgan, a Romish recusant, was censured for accusing the judges of a particular Circuit of treason; for this his ears were nailed to the pillory.

Atty. Genl. *v* Justinian Povey and ten others, lay Vestrymen of St. Botolph without Aldersgate, for imposing illegal and excessive fees on the parishioners.

Thos. Shoncke and Jane his wife *v* John Battyn and Jane his wife, for a Conspiracy.

Cornwall—John Smith *v* Hugh Boscawen and nine others, for Maintenance.

¹ In 1634, John Gray and Corbett Bushell, (cupbearer and carver to the Queen of Bohemia), having served the Queen well, and grown in years, petition for some of the fines upon the silkmen and silkdyers, whose suits were then in the Star Chamber. (S.P.O. Domestic, 1634.)

Kent—Freegift Stace *v* George Walker and his two servants, for a Conspiracy.

Hants—Cuthbert Bacon *v* Rd. and John Biddlecome, for riots.

Smithcott *alias* Settcap *v* Thornborough, two surgeons at Chichester. Thornborough was accused of repeating this rhyme:¹

From Sett to South
From Cap to Cott
Who knows his name?
He knows it not.
At Rochester this babe was bore
His father a knave, his mother a w....
And is not he a very knave
Who makes a privy, of a grave.

£50 fine and £20 damages.

“REPORTS OF THE STAR CHAMBER CASES FROM PASCH I CAR. I. TO HIL. III CAR. I. INCLUSIVE.” (LANSD. MS. 620.)

Smart’s Case.—A petition to dismiss a suit upon a certificate of the Bishop of Bath and Wells, that it was a malicious suit. The Lord keeper refused, for the rule of the Court was, not to dismiss upon petition by gentlemen in the Country.

Sir John Windham *v* Bertram. For perjury and misdemeanour arising out of a common recovery suffered.

Bertram, clerk *v* Sir John Windham and others. For perjury and riot. An attachment was issued against the plaintiff, and thereupon the warden of the Fleet, and his man

¹ When Newspapers and Magazines were scarcely known, libels frequently took the form of songs, which were written and circulated among the neighbours, or sung by itinerant Ballad singers or fiddlers to a grinning assemblage. Several cases of this sort will be found in these pages, not only were the singers punished as in the instance of the three poor fiddlers in 1628, but the poor sword bearer of York was severely punished in this Court, tho’ he did, “but stay and hear and laugh at the libel.”

went to the plaintiff's house and drew a latch, whereupon the plaintiff's wife scalded them with hot water, and the servants wounded him and rescued their master, whereupon Stebben drew his sword. Acquitted. But plaintiff on another occasion was dragged out of Church, where he had taken refuge, saying, "I am in Sanctum Sanctorum," and got him into the vestry, where he continued two or three days, and had food given him through the window, and after one day when he came to read service, he was arrested and carried away. The two defendants fined £200 each. Windham acquitted. (*Hobart*, regretted to see so many church riots, three this term, a growing evil.)

The *Lord Keeper*. "The more unworthy the parson is, the more worth the sentence, for thereby the world may see it's not done to the *Individuum*, but to the *Species*—not to the parson but to his function. "Sanctum Sanctorum," is no fit text for him to preach on."

Tattershall v Hall—Riots.

Earl of Cumberland v Sir John Yorke and his nephew. For killing of deer, &c. The Earl had a castle and chase in Yorkshire. Sir John Yorke was lord of the manor of Apple-tree, and hunted the red deer and shot them with muskets. Counsel said that Red Deer are beasts of Forest and so free. A discussion ensued as to the law of forest and chase—"For his outrageous hunting with guns and unseasonable ungentlemanlike killing the deer, Sir John was fined 200 marks and his nephew £40. As to Sir John's right of chase in his manor, there was great proof against him, for it appears that his ancestors being bowbearers, had had fee bucks, and soe there was colour for him."

Wm. Woollaston v Robt. Harecourt and Ayleworth, clerk. Forgery and perjury. Harecourt and wife were tenants for life of lands in Oxon, and mortgaged to Woollaston for £1500; not being able to repay, Ayleworth advised that as the plaintiff was a hard man, he should grant a lease to Ayleworth for 99 years and *antedate it*. This was done, and Ayleworth took possession, and then followed the perjury. Harecourt was pitied, being aged and of a great and ancient family, but he had wasted the inheritance and not only ended the family, but had shamed it with a great blot, he

had been seduced by Ayleworth, a brangling fellow. Harcourt and Ayleworth to be pilloried, ears to be cut off, one at Westminster and one in the country, and the nose slit and seared. Harcourt fined £500 for the forgery, and Ayleworth, 1000 marks, set in the pillory without ears and with a paper on his head and to be degraded by the High Commission. [Ayleworth was afterwards discharged, the bill against him being only for "practice," which was pardoned by the Parliament.]

Chaire & ors. *v* Jones & ors. For maintenance, extortion and bribery. Jones had been three times mayor of Gloucester, and told Chaire, jun. that his mother's bond was forfeited to him, and hence a trial at Guildhall. The extortion was in respect of fees taken by the Bps. Registrar for a Probate and License of Marriage. The bribery related to a Free School erected by an alderman of Gloucester.

Thos. Needham *v* John Salisbury and others. For forging a deed making an entail *general*, instead of *special*.

Lord Vaux's case. Sir Robt. Heath asked the Court if he was to proceed, as his lordship stood upon his privilege of Parliament, and would not appear at the hearing. Lord Coventry decided that as Lord Vaux might be fined and *imprisoned*, this latter sentence would prevent his attending Parliament, and the Lower House has this privilege, that no Court will prevent their attendance.

Sir Rowland Egerton *v* Edward Egerton and others. For a riot. Plaintiff filed a bill, and defendant shewed that it was his own land, and a decree in Chancery against him by the L. C. Bacon corruptly; and in his answer were many "frantick" passages, as that the Chancery was a spiritual Court, &c., &c. The council and solicitors were imprisoned, and the Court ordered a bill in the Star Chamber. The deft. was fined £500 and "other poor men solicitors, clerks, &c., every one of them £40."

Holt and Mickenden his servant *v* Commissioners. For perjury in an Affidavit. Fined 500 marks. [Hudson for deft. said, "We have not a day in Court to plead our pardon of

this offence, which is given at the Coronation ; give us a day in Court and we will plead it.”] ¹

Hil. 2 Car. I. Length of Bills. In a cause in Chancery this term the copies of the bill and depositions cost £80 ! Ordered that all the circumstances of the offence should not be set down at large, but briefly according to the ancient courses here, and indictments at the Common Law.

Thos. Langton & ors. *v* Harrington & ors. For conspiracy to indict. Fines £500 and £500 and £100 damages. *Knief*, the justice at Colchester who issued the warrant, £50.

Sir John Watts Wroath *v* Crouch and Crouch, for perjury concerning a box on the ear given by Sir John to Crouch the elder, Crouch the son was robbed on the highway near Ware by Anthy. Wroath, son of Wroath, the plt, (a justice of the peace) but was apprehended on the Hue and Cry.

Sir Francis Wortley *v* Sir John Saville, for an affray, for drawing his sword, and wounding him at Westminster Gate, the Court sitting.

Edge *v* Churchman & ors. For embracery of jurors, and for maintenance.

Flower, sheriff of Radnorshire, brought a bill for a riot. Sir Wm. Cordell, tho' present, refused to be examined. Order made.

Rookes *v* Rookes, Sugden & ors. For perjury and buying of Titles, ² relating to a great Waste called Nethermore.

¹ As to pardons, it was suggested in 1628 that there was in the pardon of 21 James, an exception of heresy, schism, incest, simony, usury, and misdemeanours, and disturbances in a Church in time of Common Prayers, this precedent should be then followed ; but that there should be also excepted, causes in the High Commission Court, and misdemeanours against a decree of the Star Chamber.

The general pardon of 27 Eliz. excepted all contempts, disorders, misdemeanours, &c. complained of in the Star Chamber within four years, and on the last day of Parliament depending.

² Crompton says, “ Bil poit esti sue in Cam. Stel. sur lestæ de buying de Titles.” 32 H. 8. cap. 9.

Jane Harlackenden, *Wo. v Sir Thos. Culpepper*, Walter Harlackenden, and others, for forging the revocation of a will. Walter H., the uncle, had issue Zachary and Walter the husband of the plt. Zachary had issue Walter the deft., who married the daughter of Sir Thomas Culpepper. Walter the uncle intended to disinherit Zachary for his lewdness, and devised his land to Walter his son. The uncle was seized with the plague, and made a revocation of all deeds and wills. The case was referred to a jury, and Sir Thomas gave a breakfast to the jury. !!

Dr. Steward, D.C.L., Lord of the Manor of Hartley Maudit, Co., Hants *v Jenman* and others. For practising false customs at a Court Baron. Plaintiff fined £20 for false slander.

Alexander *v Yates*. For terrifying a witness, he was "censured in 100 marks" [Yates said "If you prove at the assizes what you now say, I will make you hear of your oath, and will spend £40, nay £100 about it, besides being revenged."]

Weston *v* ——. Weston had bought a horse which had been stolen, and being found in possession of the beast, he was arrested and the owner was bound over in a recognizance to prosecute. Soon after, the thief was discovered, tried and convicted. Nevertheless the owner indicted Weston for the theft, *merely to save his recognizance!*

Sir John Bennett had a grant for life of the office of Chancellor to the Abp. of York, but was deprived by the Star Chamber in 1622 for extortion, and the Abp appointed another, against whom Sir John brought an assize. The King pardoned Sir John,¹ and the parties were to consider thereupon.

Margatts *v Bateman* and Susan his wife. Bateman was behind in payment of his *composition wheat*,² and Margatts,

¹ The grounds of this pardon are not stated.

² Composition wheat was probably a tax. In 1597 the Warden of Henley was ordered to attend the next assizes before the Privy Council, to shew cause why the town should not yield yearly unto her Majesty, two quarters of wheat by composition. Burn's Hist. of Henley, pp. 84, 151.

a deputy messenger of the green cloth, was sent to gather it. Bateman said that only a peck was due. The messenger demanded 15s. and threatened to drag Bateman by his horse's tail to London: but the wife paid the money, and the husband fetched a constable to have it restored.

Tirwhite v Wortley. For perjury at the York Assizes.

Lord Bruce, keeper of the King's Forest *v* Chunnock and others. For killing deer. Confessed and fined £200, "and the censure was without doubt, because in these days men grow bold in the King's parks."

Nicholas Tilly v Curtis. For a riot.

Harding v Palmer. For a riot. Dismissed, no time being alleged.

Bagshaw v Fisher. For forging a warrant of the sheriff of Lincolnshire.

Fawcett v Grice. Defendant said that plt. was formerly a common driver, and went from market to market and so got his estate and came to be a justice, whereas plt. was a Yorkshire justice and had his estate from his ancestors. Fined £20 and 100 marks damages.

Fawcett v Grice. Grice, being a justice, sent Fawcett to the House of Correction, where he had 20 lashes for being saucy. Grice fined 200 marks and £40 damages. [Coventry, the lord keeper, on this occasion, said, "This Court hath a bigger power than a Justice of the Peace hath, yet it was never seen that this Court upon so slight a cause as this is, caused a man to be whipt," and Richardson, chief justice cited *Magna Charta*.]

Panton v Underhill. Sir John Underhill having married the Viscountess of St. Albans, the plt. in his bill called her *Alice, late Viscountess of St. Albans now Lady Underhill*, and repeated it oftentimes unnecessarily. Serjt. Finch said, it savoured and is a spice of an ill disease in the plt. that purposely seeks to disgrace the Viscountess, and he moved to expunge these words.

Hudson moved. A subpoena out of this Court was served upon Crosby, a prisoner in the Marshalsea. Crosby said to the party who served it, "I will make you know what it is to serve a subpoena in prison," and so called the other prisoners, who had a Lord Chief Justice amongst them, (to wit, the oldest prisoner in execution) who sat alone upon that supposed offender, with the other prisoners according to the course of their house, and adjudged his cloak to be forfeited and to be pawned for drink, which the prisoners presently had, and that he should eat the subpoena; and if he would not consent, that he should be pumped and shaved. Habeas Corpus granted, and it was ordered that Sir John Rainell¹ should attend the King's Bench to answer why he did not better govern the prison.

Sir Peter Leigh *v* Goddiard and others—for killing deer. Roger Goddiard had a copyhold within the King's Forest of Mattlefield in Cheshire, his tenant came to him and said, there were two stags in his ground, whereupon father and son killed them with a gun. Fines £100, £200, and £300, and the three servants £20 each.

Scott *v* Sloper. A conspiracy to charge the plt. with the murder of an illegitimate child.

Hall *v* Ainsworth. For marrying his daughter without consent.

Lenson *v* Milton. For embracery of a jury.

Walter *v* Thurston. For antedating a release.

——— *v* Dr. Craddock. For extortion, 278 charges made and 203 interrogatories filed.

——— *v* Moody and wife. For libelling² the Ecclesiastical Court.

¹ Should not this be Sir John *Tyrrell*? Sir John Rainell does not appear as Warden, in Burn's History of the Fleet Marriages, 1834.

² In a libel case about 1636 the Lord Keeper said that a great many libels had been brought before the Star Chamber, whereas in ancient times they were punished in the Court Leet.

Thos. Whitlache *v* Moody, Armiger, and Uxor. Moody being offended by the marriage of his step-daughter; and the marriage coming in question in the Court of Arches, Moody and wife wrote libellous letters to Sir Wm. Byrd, the judge of that Court, calling the Court the Lemman Court, where none but *Lemmans*¹ and Knaves seek their prey, &c., &c. Both sent to the Fleet. Moody fined £200 and the wife £100.

(Upon a motion whether the Earl of Lincoln should put in his answer upon his *honour*, or upon oath.—It was ordered upon oath.)

Wallis *v* White and Jennett. For a riotous rescue. Wallis and Golder were tipping in an inn at Nettlebed in Oxfordshire on a Sunday and were distempered with drink, whereupon White the constable took them and put them in the Stocks. Bill dismissed with £20 fine.

Atty. Genl. *v* Wallis. For abusing the Court of Star Chamber.

Atty. Genl. *v* Townsend, an attorney. For forgery and ill practice.

Dickinson *v* Leate. For forgery concerning a Bill of exchange.

Phillip Haynes *v* Ignatius Jordan, a justice, and others. The defendants were charged with having erected a schismatical consistory, whereof himself was president, and called it "the nonconforming ministers," who sentenced Hayne for adultery to be imprisoned and whipt. That Jordan sent Haynes to Bridewell where he was whipt with 20 stripes. In defence, it was urged that Haynes was convicted according to the custom of Exeter with respect to adulterers, that two ministers were sent to the Bridewell to give the prisoner good counsel. The Court said that had there not been a *custom*, it would have been outrageous; but so is the custom of *London*,² and so also some say of Westminster, by the 27th Eliz.

¹ Lemman (AS) a Lover, a Gallant, a Mistress.

² Is this so? By the Custom of London an arrest may be made in *London* on the plaintiff's entering his plaint in either of the Counters, and a serjeant of *London* need not shew his mace when he arrests one. Jacob.

— *v* Matson & others. For a riot and perjury.

Bellam *v* Thorold. For maintenance.

Johnson *v* Weale, clerk, and others. For a riot.

Warton *v* Haydon. Perjury concerning the Tythes of Ravenstown. Bill dismissed.

Sir Anthony Ashley *v* Dame Eliz. Hatton. Question whether an earl's daughter should not be summoned by a letter from the Lord Keeper, and not by subpoena.

Langley *v* Mason and another. For a riot at St. Ives, Hunts. "A *Bumbailiff* blew a horn, whereupon 100 of the rioters followed him in the Town. Langley knew and made 34 of the rioters defendants, but only prosecuted *two*." (The plt. was fined £20 for sparing the others.)

Gilliard *v* Martine. For conspiring to indict for a rape.

HILARY TERM, III. CAR.

Bacon *v* Oged. For killing red deer in a forest in Hants.

Hunt *v* Atthill. For vexatious suits.

Vaughan,¹ high sheriff, *v* Grundy and others. For a practice to arrest and disgrace the sheriff. Fines £500, £500, £200, £200, and £40. Damages £200.

[Whitelock *v* Sadler. For conspiracy, which is the last of the cases (begun at p. 92) in the Vol. 620., Lansd. MS., which ends at p. 146 with the Lord Keeper's Speech in the Star Chamber, to the Bishops, Judges, and Justices of the Peace.]

¹ Qy. If this is Edwd. Vaughan, who complained to the Long Parliament of six years' suit in this Court. Harl. MSS, 304.

STAR CHAMBER REPORTS FOR THE YEARS

1625, 1626, 1627, 1628.¹

Ealfield, clerk, *v Poppleton* and others. Nelson conceiving malice against the plaintiff, an aged minister, the defendants assembled in the Glebe, and assaulted plaintiff's wife. Poppleton arrested plaintiff in his church on Good Friday, and drove him to the vestry, kept him there till Easter-day and took him in his surplice to an Ale-house. All sent to the Fleet. Nelson fined £20, Poppleton £200, two others £20 each. Poppleton to the pillory, and there, as well as in plaintiff's church and in York Cathedral to ask forgiveness, kneeling on his knees. Defendants to pay £100, damages, &c.

Beverley v Power. Deft. meeting plt. in the highway, spat in his face, at another time kicked plt. with his spurs as he followed him up Sir James Leigh's stairs in Lincoln's Inn. Sent to the Fleet and fined £200. Plaintiff having charged defts. with foul crimes, not proved, fined £500, with 500 marks damages to two of the defts. and £100 to three others.

Remington and others against *Allen, Jephson, Hind and Chambers*. Conspiracy for indicting plaintiffs of barratry, and making a purse to defray the expence. The defts. on the Sabbath day used Jephson's alehouse and called it the Parliament House. The churchwardens indicted them, whereupon the defts. made a purse to indict the plts. of common barratry.² All sent to the Fleet, Chambers fined £200 for his bold offence in the embracery of two juries, the others 300 marks each.

¹ Extracted from Rushworth; but he does not notice the case of Sir Henry Fienes who was fined £2000 for contracting a marriage *de futuro*, in his wife's life time. This fine was in 1625-6 granted by the Crown to the Earl of Anglesea. It thus appears that the King followed the example of his Father James I. making grants of these fines to his friends and servants.

² This case and several others are contained in a MS at the Bodleian, "Rawlinson, A. 127." "The course and proceedings of all causes in the High Court of Star Chamber," &c, (43 pages) then follow, "Reports of the Star Chamber, Pasch. 1^o Caroli Regis:"—It contains also the report of a case, *Thos. Needham v John Salisbury*, for forging a Deed—and also a full copy of the information against the Earl of Bedford and others, in 1629.

Alexander v Yates, a counsellor at law. For altering the copy of a Record. Committed to prison, fined £500, disabled to practice, to be expelled the Society of Lincoln's Inn and pay £100 damages to Mr. Nevil's clerk, on whom he endeavoured to lay the offence.

Houghton v Hamshire and others. Plaintiff having arrested Thompson, the bailiffs brought him to Jordan's House; about eleven o'clock at night he and the other debtors (one of them being Long a minister) came to the chamber where the bailiffs were, made them drink healths excessively, and got Thompson out of a window and down a ladder. All sent to the Fleet, fined, &c., &c.

Fenton and York v Sir John York. For killing the plt.'s deer in Appletreewick Fields. All parties fined, but the Court would not meddle with the title touching the bounds of Skipton and Barden Chace.

Hamburg v John Jones, Esq., registrar of Gloucester, and others. For issuing execution, after a supersedeas granted, and for extorting excessive fees on probate of a will. All committed and fined.

James Brook and others *v Watson* and others. For forgery of a deed, &c. Defendants fined, sent to prison and to be pilloried.¹

Woodrow v Crispe and others. Dorothy Crispe undertook to cure plt.'s son of the falling sickness for £40; she had the son placed near her house, with a view of marrying him to her daughter Eleanor, which she at last accomplished. They were all committed to the Fleet, fined, Dorothy and Eleanor £500 each, Anthony Crispe £300, Lancelot Ainsworth £250 and Hugh Jones, clerk, £200, and *Eleanor the wife to be barred of dower!* [This case reported at length in No. 620, Lansd. MSS.]

Broadgate v Glover and others. For forging a deed. The deed condemned, but no one sentenced. (No. 620 Lansd.)

¹ The Reporter (Lansd. MS, 620) adds, "Michaelmas Term was all adjourned to Reading for the heat of the plague; and Williams, Lord Keeper, upon displeasure of the E—— of —— as was conceived, was dismissed from his office, and Sir Thos. Coventry ye Attor.-General succeeded him."

Frize v Bennet, Langdon. and Aylett. For libelling the plaintiff and singing "a proper song of a great Blockhead, "woollen draper, dwelling in Holborn, who gave a tailor's "wife a yard of old frise for a jerkin," &c. Sent to the Fleet, Bennet 500 marks, Aylet £200, and Longdale 100 marks. No damages to plt. as he took delight in repetition of the libel and was of suspected life and conversation.

Bridges, Esq. v Meeke. Meeke sought out an old bond of the plaintiff's, had it assigned to him, and then took the plaintiff in execution, who paid the amount, although the Court thought it had been satisfied. Committed and fined 500 marks. Also Meeke being summoned before the plaintiff for a misdeamour, kept his hat on, and being drunk, behaved contemptuously, and in several alehouses, called the plaintiff Justice Breakpeace, &c., &c. The court bound him over to keep the peace, and disabled the alehouse-keeper where he was made drunk, from keeping an alehouse for three years.

Hastings, armiger, v Brune, knt., and others. For hunting and coursing with six or seven greyhounds, His Majesty's deer in the new Forest, and a hind and a brocket suster, and carried them away. All committed to the Fleet. Sir John Brune £100, four others £50 each.

The Attorney Genl, *ore tenus, v Thos. Perkins.* When the Commissioners for collecting the Loan Money were to sit at Nottingham, the defendant scattered in the highway seditious letters to dissuade the Freeholders from subscribing, stating that all the commissioners in Lincolnshire, but two or three, had refused to give money except by way of Parliament, &c. Committed to the Fleet and fined £3000. ✓

TT. 3 Car. I. *Titoe and others v Newdike and others.* Newdike having sold lands to plaintiff free of incumbrances, made a feoffment and antedated it, and had it enrolled, thereby giving the lands to his son and his heirs. Sent to the Fleet, fined £500, to pay £100 damages to Titoe, and the fraudulent deed to be condemned.

Board knt. v Wood. For breaking in and taking possession of a house and turning out the occupiers. Sent to the Fleet and fined £20.

3 Car. *Anthony Bluet v Cave*, armiger, (Lord Conway's kinsman), and others, *dè contra*. Bluet, being possessed of land at Sommerby, Co., Leicester, purchased from one Dansy, sowed the land with corn, but Dansy dying before the corn was ripe, Cave pretended title to corn and land, sent his men and took a cartload of the corn, assaulted plt.'s servants, broke their scythes, &c., &c. All sent to the Fleet, Cave fined £100, fourteen others £20 each.¹

Allen v Watson and others. For riotous beating of the plaintiff whose trees defendant was cutting down. All sent to the Fleet and fined £200, £300. and £40.

Vane, Esq. v Morgan and others. For riotous beating on a market or fair-day at Caerleon. Defts. chukht him under the chin, drew his sword, tore his ruff from his neck, &c. All committed to the Fleet, fined £200, £100, and £40, with £100 damages.

Sir John Dacre, knt. v Sir Arthur Gorge and others. For a Riot. Plaintiff having recovered, by law, a house and garden in Chelsea, the Sheriff put up a pale to divide the garden from defendant's ground, which pale the defts cut down. Committed to the Fleet and fined £40 each. Lady Gorge, by whose encouragement it was done, was admonished by the Court; she had called the plt. "Sir John Baldpate," and the Lord Keeper said, that if that had been charged in the bill, she should have been punished for it, as she was a person of honourable birth, the daughter of the Earl of Lincoln, and so this language was the more unbecoming, &c."

- *Johnson v Webley and others*. Webley, having been apprenticed to Johnson, a clothier, sought to ruin his late master and set up in trade himself. He and others assembled at a fulling mill, where Johnson had four broad cloths, and carried them away, then went to Johnson's house and under pretence of a writ, took away goods to the value of £160. Committed to the Fleet, fined 100 marks, three of them £100 each, and £250 damages.

Merrick, Esq. v King—Blundeville, and Dixon, his servant.

¹ Cave then sued Bluet for ringing the bells in triumph at his success, but Cave was again fined.

On pretence of title, breaking into a chamber in a house at Norwich, where she had gone for fear of the plague at night, turning his wife and child out of bed and making her rise in her smock in their presence and leave the house. Sent to the Fleet, fined £500 each. Dixon £100 and Legate £200. 100 marks damages to plt.'s wife. [Plt. and King had married the two daughters of Blundeville who settled his land on King, who was to change his name to Blundeville.]

Boys and Wife v Sir Thos. Jenkinson and others, justices of the peace. Susan Boys and Grace Tubley were accused of ill life and quality, making mouths at Mr. Guthery the preacher in sermon time. Upon this bare accusation without oath, the Justices sent them to prison and to be there whipt. Upon complaint being made of this to the Sessions, Jenkinson maliciously informed the Justices that the women continued in their bold courses and after their whipping, had drunk a health to him and Sir John Rowse, and caused the bell to be tolled in derision, and so had them committed again. Committed and fined 200 marks a-piece. £50 each as damages to Susan and Grace, and Sir Thos. £20 more for misleading the Justices.

Atty. Genl., ore tenus, v Denham and others. Committed to the Fleet and fined £50 each for killing a fawn in the King's park at Eltham.

Seaborne v Builthe and others. Committed to the Fleet and fined £40 each for assaulting the plt.'s two brothers and breaking their heads with a long staff.

Thehwel, a master in Chancery, v Holman, Esq. For charging the plaintiff with collusion with Mr. Gotts, and corruption in making his report. Committed to the Fleet, fined 1000 marks, and to pay plaintiff £500 damages.

Sir John Shelly, knt., v Sir Sigismund Zinzan, alias Alexander, and others. Deft. Ridley, a parson, in the night time and without licence or banns, married plt.'s eldest son aged 16 and 8 months, to Margt., the daughter of Sir Sigismund Zinzan. All sent to the Fleet, Ridley fined £500 and left to the High Commission Court, his wife fined £10, Barton that gave her away, £100, Godfrey and wife, who kept the ale-

so where some of them were drinking a great part of
rice time on Sunday, were disabled from ever keeping an
inn or alehouse.¹

Craske v Flight and others. Suit for perjury and subornation on a trial at Nisi Prius. The parties fined, imprisoned, and pilloried.

Parker, Esq., and others v Fuljambe. For riotous disturbance in lead mines, going into the miner's groves, pulling their stoës in piëces and taking away their tools. All committed to the Fleet, Fuljambe fined £100, and four others £20 each.

Parker v Sir Francis Foljambe. For perjury in swearing that the Manor of Elton was parcel of the Manor of S. and for riot.

Sir Fras. Fuljambe v Carrier and others. For practice and riot about Lead Ore.

Michas. 3 Car. I. Three fidlers were informed against for singing songs against the Duke of Buckingham. The libel was not read in Court, but delivered to the Lord Chancellor. The burthen of it was:—

“The clean contrary,
“Oh! the clean contrary way,
“Take him, Devil, take him.”

They were fined £500 each, to be whipt and pilloried in Cheapside, Ware, and Staines “and forasmuch as they end with “the clean contrary way” they ought to be carried upon horses from Westminster to Cheapside with their faces to the horses’ tayles, and so all agreed.”²

¹ Another version of the case was that Sir Sigismund Zinzan and others had married Shelley’s son to Margaret Lineham. Wm. Shelley being drunk, Henry Lineham got him after supper to be married to Margaret his sister in the house of Godfrey, an alehouse keeper on Palm Sunday. Ridley, the parson, was fined £300 but he shewed that he did it at the request of Mr. William Shelley himself. (Lan. MS, 620.)

² A Letter from Lord President, Manchester, says, “The songs of the “Fiddlers of Staines and Windsor are so lewd, that they think them fit to “be punished in the Star Chamber. Two of the King’s household servants “are their countenancers.”

Vaughan, Esq. v Jenkin and others. Disgraceful arrest of a sheriff as he was riding out to meet the Judges.

Read v Penruddock and others. For a riot.

Atty. Genl. v Madye, clerk. For scandal of the High Commission Court. Fined £200.¹

Brighthouse v Sir German Poole and others. For a riotous assault with swords.

Almond v White. For an escape from Stafford gaol with the connivance of Bannington, who provided weapon and horses.

4 Car. *Mainard, Esq. v Rowe, gent.* For oppression and extortion in the billeting of soldiers at Tavistock.

Taylor v Tolwyn and others. Conspiracy to accuse plt. of a rape on Joan Faulk.

Atty. Genl. v Heron and Banier. For going about the country by false names and with false news and tales, to get money by it.

Huet v Overy. For a riotous reaping and carrying away corn.

Atty. Genl. v Sir Edwd. Herne. Luxford, a merchant, was appointed to collect money upon letters patent in Lincolnshire for the repair of the Port of Rye. The churchwardens carried him before Sir Edwd., who, (although he was shewn the patent under the great seal), caused Luxford to be whipt as a wandering rogue. Committed, fined £200, and £50 damages to Luxford.

Escourt, Knight and Bart. v Carleton, Esq. Carleton, hearing that Plaintiff was charged with the murder of Mary Winkle, became a suitor to the King for the forfeiture of his estate, and having obtained a grant of it! prosecuted the plaintiff by indictments and tampering with witnesses, to convict him of the murder. Committed and fined 500 marks.

Goad, Esq. v Bainbrig, gent. Single battery.

¹ The Rev. Meredith Madey, see the High Commission, p. 37.

Garton v Wm. Mellershe and others. Plaintiff, having taken an ox as a heriot on the death of Mellershe's father, was pursued and struck with a spade staff, and cut with a forest bill. Two fined £100 each, three £40, and £400 damages to the plt. for his maim, notwithstanding he had recovered and received £100 upon an action of battery.

Treweene and Wife v Fredenick, undersheriff. For making a false return on writs against Sir Richd. Carnesewe.

✓ *Atty. Genl. v John Maud*. For saying that the King went to mass with the Queen. Committed, fined £5000 and to acknowledge his offence in all the courts at Westminster, at the assizes of Suffolk and Huntingdon, and at Paul's Cross.

Dominus Savile, fined, and decreed to pay damages to Lord Wentworth, Lord Clifford, Lord Fairfax, Sir Rd. Colmney, Sir Thos. Gower, Sir Edw. Stanhope, and Mr. Jo. Ledyard, for filing a bill in this Court containing odious charges against them and for three years not prosecuting same.

Thornebrough, Bp. of Worcester v Bowyer. For a libel.

Ashton, Bart. v Blundel and others. For a riot, and that Blundel (a popish recusant convict) and living in Little Crosby, Lancashire, enclosed a piece of ground and used it for ten years, for the burial of recusants. Blundell fined £2000 and the walls of the ground to be pulled down by the sheriff and the ground laid waste.

Barnes v Hill and others. Great riots and resistance to authority.

Talbot, armig., and *Glassbrook*, gent. *v* *Cookes*, Esq; and others. For partial conduct on a trial in a Court Baron at Broomsgrove.

Richardson v Craddock and others. Rout and assault at Durham.

Clifford and *St. Leger v Cunningham* and others. For arresting in one county and taking the parties to another county to be arrested there.

Brooman v Wilkins. Perjury at assizes.

Atty. Genl. v Yeomans and others. For false dyeing of silks, using galls, slip, and alder bark, to make them heavy.

Morgan, knt. v Morgan and others. Riot at Abergavenny.

Shirley, Bart. v Chetwin, Esq. Battery of a justice of the peace.

Still, clerk v Owen, gent. For battery of a bailiff and reviling a justice of the peace.

Phillips, knt. v Stowell, knt. Affront of the high sheriff at an election and giving the lie to the justices on the bench. Committed and fined £200.

Phips, clerk v Eyres and others. Conspiracy to charge Phips, of Lechlade, with a rape, subornation of perjury, &c. Committed and fined. Lady Lawrence admonished.¹

Atty. Genl. v Sir Walter Long, high sheriff of Wilts. Being elected member for Bath, he left the sheriff-hood attended parliament, and lived in London and Westminster contrary to the sheriff's oath to remain in the county. Committed to the tower and fined 2000 marks.

Atty. Genl. v Hoskings and 87 others. The King having disafforested his forest of Gillingham, Dorsetshire, allotted shares to all the borderers and commoners who railed and fenced same.² Defendants in great numbers by day and night, cut down the fences, fruit trees, &c. Thirty were fined £200 each, thirty £100 each, and nine £40. Hoskins the colonel, Alford the captain, Cave the lieutt., and Miller the corporal of the rebellious troop to be set in the pillory, &c.

¹ 1631. Wm. Phipps, clerk v Lady Elizabeth Lawrence, widow. (Qy, if this is the case recommended to the High Commission Court, of gross indecency at the font, when a child should have been signed in its forehead, the hinder parts were presented.) (See the High Commission, p. 55.) Court and Times of Car. I. p. 45.

² "The revenue of too many of the Court consisted principally in *enclosures*, and improvements of that nature, which Laud opposed passionately, except they were founded in law; and then if it would bring profit to the King, how old and obsolete soever the law was, he thought he might justly advise the prosecution—and so he did a little too much countenance the commission concerning depopulation which brought much charge and trouble upon the people."

The *Woodmongers* of London *v* the *Wharfingers* and *Carmen*. The Court ordered 400 cars for London, Southwark, St. Katherine, and the Strand, and that the price of fuel may not be raised, nor the wharfingers prejudiced, the woodmongers are to allow the wharfingers cars at 12d. a week.

Lord Powis v Edwd. Vaughan, Esq. and others. Alledged forgery of a deed.

Atty. Genl. v same.

✓ 1630. *Atty. Genl. v Bonham Norton, John Horton, Sir Francis Ashby, and 11 others.* For charging Lord Coventry the lord keeper, of accepting bribes.¹ Defts. fined altogether more than £10,000, Lee and May to ride from the Fleet to Westminster with their faces to the horses' tail, and then set in the pillory, and have an ear nailed to it. Another day to ride in the same way into Cheapside, and have the other ear nailed to the pillory, &c., &c.

Atty. Genl. v Sampson. Corrupt dyeing of silk. Committed and fined.

South, knt. and justice of the peace *v Ward*, clerk. Reviling a justice and calling him a base knight and stinkard. Committed and fined.

Bacon v Boulton & ors., Denbigh. Conspiracy to indict plt. for felony.

Atty. Genl. v Jones. For slander of Sir Euble Thelwall, knt, a master in Chancery. Committed and fined. (Sir Euble died before sentence.)

Sir Edwd. Powell, bart. v Sir Peter Vanlore, bart., and others. Deft. with the assistance of some servants of his mother (Dame Jacoba Vanlore) got possession of a bond for £16,000 given by Sir Sackville Crow for a debt of the Duke of Buckingham. When sued, was riotously rescued—riotous carrying away of corn belonging to the parsonages of Compton and Beenham. Committed, fined 1000 marks, 500 marks, £11,000, &c., &c.

¹ One, a bribe of £600 for making a decree between Barker and Norton for the office of King's printer.

Atty. Genl. v Levingstone and others. A suit for the escape of Alex. Leighton, the father of the Bp. — Levingstone, put off his cloak, hat, and breeches, being all of a gray colour, and Anderson, his doublet, and Leighton put them on, and all went out of the Fleet unsuspected. Committed and fined £500 each.

Atty. Genl. v Morgan. Defendant, being a popish recusant, refused the oath of allegiance, and being indicted, slandered two of the justices of Flintshire, recommended the King to be deposed, the authority of the Privy Council abrogated, the Bp. of Chalcedon made King, &c., &c. Committed to the Fleet for life, fined 1000 marks, set in the pillory, &c.

Bincks v Beeston, clerk to the undersheriff. Riotously taking away cattle under a false warrant.

Atty. Genl. v Taylor and Stephenson. For counterfeiting farthings and selling 24s. to 26s. worth of them for 20s. money.

— *v Monk, Blackburn, and another.* Dorothy Blackburn got two of plaintiff's letters and inserted treasonable words and scandalous matter against Lord Gray. Monk was sent to the Council, and then to the tower to be racked. They were convicted, and sentenced to be whipt in the palace yard and at Leicester, &c., &c., and pay £500 damages to the plaintiff.

Atty. Genl. v Archer, of South Church, Essex. For hoarding corn to inhance the price. Fined and imprisoned, and ordered to pay £10 to the poor of the parish.

Allen v Watson. For falsifying records of the Court of Star Chamber.

Atty. Genl. on the relation of Sir Nichs. Vermuyden, v Torkesay and others. For a riot at the Government Drainage Works in Lincolnshire.¹

¹ For an account of these Drainage Works and the settlement of the Flemish Artizans, see Stonehouse's *Isle of Axholme*. Burn's *Hist. of Foreign Protestant Refugees*, p. 101.

John Dalton, clerk, vicar of Sharpe, Westmoreland v Haydon, Beck, and others. Falsely charging the plt. to have gotten a pedlar's wife with child. The pedlar and his wife were sent for three months to the house of correction, "and to have the handsel of the house," to pay £40 to the King, &c., &c.

Atty. Genl. v Thos. Rogers, Mary Partridge, and others. Rogers, being of mean estate and knowing Jane Cockaine, (daughter and heir of Wm. Cockaine, Esq., deceased, and her mother, now married again to Sawdey Tindall, Esq.), to be under eleven and his Majesty's ward, practised with other defendants to contract a marriage. Partridge brought her down in her arms half-asleep and in her smock to Rogers, made her subscribe a writing, also obtained a licence, and endeavoured to marry them in Greenwich Park. All were committed and fined. Rogers £2000 and not to be released till the ward was released by the Ecclesiastical Court from the contract. Partridge fined £40, to be paid by Rogers.

Leech v Waddington, clerk, vicar of Chesterfield. For champerty, maintenance, and riotous taking away of tithe corn. The defendants by the abetment of Sir Francis Fuljamb, riotously beat the plaintiff's work-folks and carried away some of the corn, and afterwards the defts. and "others nick named"¹ took away tithes, &c.

Bayneham v Grymes. Grymes, a maker of hat-bands, made them of silver mixed with copper thread, and others of silver and gold, mixed with purl and oes of copper double gilt. Committed and fined.²

Smith v Stonor. John Stonor, by advice of his brother Angelo Stonor, made an assignment to Angelo of a pretended lease. For this new kind of fraud, both brothers committed and fined £200 each.

¹ Among the lower orders the christian and surnames are frequently unknown, and their companions answer to "Long Bill," "Carrotty," "Lumpy," or some such nick-name.

² It was pleaded in this case, that the deceit was not charged in the Bill; but the Court said that as the defts had confessed it and as the Court sentences men *ors tenuis*, the defts. were sentenced to fines of £20, £40, and £50, "and because fraud is a common hurt to the weal public," this decree was to be read at the next general meeting of the liveries of every company in London at the Guildhall. (Rawlinson, MS.)

1632.

Broughton v Young and Thos. Young, gent., and John Sayer, his servant *v* Thos. Broughton, Esq. Disturbance in a church about a pew in the Chapel of Charnes, Co. Stafford. Both parties fined £100, the one for making the disturbance and the other for causing it. (Also in the Bodleian Book.)

Dymock, Esq. *v* *Chambers*. For champerty and maintenance.

Dr. Peterson, dean of Exeter *v* *Travers*, canon,¹ Wm. Cotton, chaunter, Edwd. Cotton, archdn. of Totness, Joseph Martin, clerk of said archdns. official, Falkner, servant of Edwd. Cotton, Wm. Bampton and Kathe his wife, and John Frost, father of Katherine. For conspiracy with Frost and his daughter Katherine Bampton to accuse plt. of incontinency. Committed and fined, and Kathe. to be whipt; all the records (except plt.'s bill) to be burned.

The Atty. Genl. *v* Lunsford, the elder, and others, for conspiring to take away the life of Sir Thomas Pelham.

Pelham, bart v Lunsford and others. For killing deer and beating keepers in plt.'s park (Sussex.) (In 1636, Lunsford petitions the Star Chamber—"he has been 4 years in the Fleet without any crime committed by him, his estate ruined, his children undone, his distressed wife and himself both dangerously sick." Annexed is a certificate of Alex. Leighton, M.D. that Thos. Lunsford was sick of a putrid fever.)

Atty. Genl. *v* *Steward and others*. Riotous destroying inclosures in Feckenham Forest.

7 CAR. I.

Sir Edwd. Leach, bart. *v* Sir Fras. Fuljambe, bart., and others. For forging four leaves in the register of the dean

¹ Travers had been appointed canon on false testimonials and had been expelled by the King on the petition of the dean. (Bodleian Lib.)

and chapter of Lichfield, and for a riot. The forgery was not proved, but Sir Fras. was found guilty of maintenance and champerty, and fined £1000, the vicar £50, the constables 200 marks each, the rioters £100 each.¹

Lord Dennicourt v Wm. Leake, Esq., the Lady Lake, and others. For putting a new seal to a deed which Sir Fras. Leake, the father of Lord D., had destroyed, and for making a will, and for embracery at the Derby Assizes in 1627. The bill was dismissed.¹

Keld v Fairside. Fairside was applied to for a larger contribution, when he was charged with saying, "If it were the King's pleasure that these exactions be made, then we must needs think he is a very beggarly prince, or a proleing."² The bill was dismissed and Keld fined £20 for false clamour.¹

Lord Falkland, governor of Ireland v Sir Arthur Savage, knt., for scandal.¹

Sir Edw. Plumptre v Hy. Scroope, and many others. Henry Scroope, (son of Chrstr. Scroope, Esq.), married Plumptre's daughter Ann, about Feb., 21 Jac., and they had three children. He now pleads a prior marriage with Ann, daughter of Robt. Scroope, Esq., but that marriage, Plumptre says, was before he was 14 years old. For the defence it was proved that Henry was 17 or 18 when he was first married by Dr. Spight at St. Clement, Eastcheap, on the 6th Dec., 20 Jac., and that when a few months after he married Ann Plumptre, it was at 12 o'clock at night, by a Romish priest, in Sir Edward's house; and was contrived in the hope of getting the Earl of Sutherland's estate. Sir Edwd. not only failed in his evidence, but the lord keeper said, "Here was an harbouring of a popish priest, and for that this was the supreme Court of Justice in the kingdom, they would not have it reported that such things were not regarded, or that we so far favour priests or popery. Therefore tho' I am very sorry for Sir Edwd. Plumptre and his daughter, yet for this reason let him be in the

¹ Harl. MS. 4130. Cases in the S. C.

² Skinner derives the word *proleing* from *proyaler* to steal. A *proleing* may therefore be a thief. The editor of *Notes and Queries* suggests the following reading, "either he is a very beggarly prince, or he is a *proleing*"—a *stealing*.

"custody of the warden of the Fleet, and be examined
"whether he knew the seminary priest to be in his house."¹

Herbert, Esq. v Lownes and others. Fraudulent procuring a deed and will from Peter Bland, a man of great age, to the disinheriting of his children. Committed and fined £1000 and £300, Sir Rd. Minshall Knight, the counsel who drew the deed, without remonstrating with the old man, committed and fined £500.

Atty. Genl v Palmer, Esq. For residing in London and not going to his country house, contrary to the King's proclamation. Committed and fined £1000.

Trevanton, gent. v (Sir —) Vivian. Deft. being governor of St. Mawes Castle, kept not the proper number of soldiers to guard the fort, and put their pay into his own purse. Committed, fined £2000, deprived of command, and to account to the exchequer for money received.

Webster v (Joan) Lucas. For libellous letters. Committed, fined £40, to be ducked in a cucking-stool at Holborn Dike, make acknowledgment at Vestry, and pay plt. £20.

A case was cited about the 3d Car. where a scold in Suffolk had been ducked in a ducking stool, before her offence had been presented to the Court Leet and found there, so it was not by lawful judgment of her peers, and the offenders were fined for it.² (Lansd. MS. 620.)

Dowager Countess of Darby v Inhabitants of Woxbridge. Defts. claimed the tolls of fairs and markets against the right of plt. as Lady of the Manor of Colham. It was referred to arbitration and the award was in favour of the lady. Defts. to pay £200 for profits received with costs, also £20 to the King, *pro Licentia concordandi*.³

✓ *The Mayor of Lincoln v Fawkes, gent.* For refusing to furnish the market with corn in time of want. Committed, fined £1000 and £200 damages to the Mayor.

¹ Cases in the S. C. Harl. MS. 4130.

² This case was cited probably as an objection to this Court awarding a punishment usually inflicted by the Court Leet.

³ The licence for which the *King's Silver* was paid on the passing of a fine on the conveyance of land,—perhaps payable on other *agreements* between parties. It is probable that, during the Commonwealth, this payment was not exacted, for by the 12th Car. II. c. 12, it was enacted that fines levied since Car. I. should be valid without entry of the sum paid *pro Licentia concordandi* commonly called *King's Silver*.

Atty. Genl. *v* Sandford, Esq. For transporting wool contrary to proclamation, and also uncocketted.

Same *v* Cox, for transporting Fuller's earth.

Same *v* Bent, gent., a Feodarie.—“Upon the finding of an office after the death of one Mitchell, he took £8 as a bribe¹ for his favour and £6 for his charges. Also extorted on the deaths of Wakelyn, Armeston, and Reade.” Committed, fined £1000, and disabled to execute the office of Feodarie,² Coroner, or Escheator of any County.

✓ Same *v* Bowyer. For slander, at Reading, of the Abp. of Canterbury, (that he allowed £500 a year to the Pope, and procured him £17,000 a year, &c., &c.) Committed to *Bridewell*, to be kept at work for life, fined £3000, put in pillory, burned in the forehead, &c., &c.³

Same *v* Moor, Esq. For building coachhouses and stables on new foundations, in St. Martin's in the Fields, and building some houses on old and new foundations, “*cont.' Procl.*” Committed and fined £1000, the buildings to be demolished.⁴

¹ There was a great deal of buying, selling, bribing, and fraud connected with public appointments in the 17th century. Sir Jas. Whitelock, in his *Liber Famelicus*, gives instances of it with reference to the office of Atty. Genl., recorder of London, &c. But of Sir Edwd. Coke, he says, “In all causes before *him*, the councillor might assure his client from the danger of bribery, the secret mischiefs growing by wife, children, servants, chamber motions, courtiers great or small.” p. 50.

² Feodary or Feudary.—An office of the Court of Wards, appointed by the Master of that Court by virtue of the 32 H. 8, cap. 26, whose business it was to be present with the Escheator in every county at the finding of offices of lands and to give in evidence for the King, as well concerning the value as the tenure; and his office was also to survey the lands of the ward, after the office found, and to rate it. He likewise assigned the King's widows their dower, &c. The office was taken away by the 12 Car. II. c. 24. which abolished the Court of Wards.

✓ ³ 1633, November 13 Wednesday, Richard Boyer, who had formerly named himself Lodowick, was brought into the Star Chamber for most grossly misusing me, and accusing me of no less than treason, &c. He had broke prison for felony when he did this. His censure is upon record, *and God forgive him*. Laud's Diary. [It is not recorded that the Abp. forgave him or remitted any of this severe sentence.]

⁴ It is difficult to understand what object the Government had in preventing new buildings, unless in some way connected with “divided tenements,” noticed hereafter. In 1636 the Council ordered some houses in Long-acre to be demolished. The occupiers had complained of a laystall there, and the Council determined that as the laystall was there before the houses, the houses must give way—indeed the houses were the greater nuisance, and the Council accordingly ordered their demolition!

Same v Smith. For building a house in Lincoln's Inn Fields near Louches Buildings—then converted it into two houses, part of them being upon a new foundation, and part upon a house or yard of a gun-powder house, which was set up, 39 Eliz. Committed and fined £200. (Rushworth says, "this house was preserved.")

Same v Hillyard and others. Hillyard having a commission to work for saltpetre, to be sent to the King's powder-maker, and not elsewhere, set up several works and sold to others at £4 the hundred. Upon a commission from the Star Chamber to examine witnesses, defts. persuaded a witness, "*That a friend to save a friend, and a kinsman to save a kinsman, might forswear himself, and that it was no offence to God to do so,*" and would prove it by scripture. Hillyard committed and fined £5000¹ and disabled from being a saltpetre man, and to be set in the pillory at Westminster, Andover, and Chippenham; Goodenough committed and fined £1000, set in pillory with his ears nailed, and to be well whipt; Nicholas committed and fined £200.

Goddard, Esq., v Humphrey Hyde, Esq.—a fellowship in Exeter Coll., Oxon, being vacant, plt.'s son, and Thos. Hyde were candidates, (both having been born within the diocese of Sarum.) Finding the votes against his son, the deft. got an aged midwife of about 80 to sign a certificate that she brought plt.'s wife to bed of Thos. Hyde at East Woodhay within the diocese of Winton, and Alex. Hyde and Humphry Hyde justified it as a true certificate—thus the plt.'s son was declared incapable of the fellowship, and ten of the fellows who voted for him were expelled. For this false certificate, Humphrey Hyde was fined £1000; Garret £500; Fras. and Alex. Hyde and Simon Farrant £100, to pay £400 to the plt., of which, £50 to go to the College for their charge of entertaining the Visitor who examined the abuse, and £50 to the ten fellows who had been expelled.

¹ "Laud stood alone for a fine of £10,000." (Windebank's Notes, S.P.O., 1633.) The whole of Hillyard's case is in vol. cclx., No. 21. Laud, in his defence, frequently alleges that he was not answerable for the acts of the Star Chamber or High Commission, *that he never led the other members*, as he generally voted last, or last but one—that the acts were the acts of the Court according to the rule of law, *refertur ad universos quod publice fit per majorem partem*. The notes of his friend Windebank clearly prove Laud's severity. The fact is that if he voted last, he gave his vote "*with the highest,*" and so endeavoured to influence the final decision of the President.

5 CAR.

Sir Henry Shirley *v* Chetwynd. For an assault on a Justice, "saying he would beat his honour out of his a——" Fined £500.¹

About 1628, Sir Robt. Le Grys was sued in this Court and made his submission, "throwing his fame and fortune at the royal feet."

Lamplugh, armiger *v* Huddleston. For challenging plt. to go over the water at Westminster to fight with him. Decreed "that a challenge in the heat of blood is not punishable here."

Atty. Genl, *v* Gunter. For a practice and foul imposture in eating or swallowing pins. [The proof being only that the party herself acted what was said to be the imposture, as heaving, tumbling, jumping, fits, &c., it was upon this dismissed.]

✓ 1626. An information was filed by the Attorney General against the Duke of Buckingham, upon the same charges as those contained in his impeachment.

1627. Wm. Knowler filed his bill in the Star Chamber and called in question the decrees of the Commissioners of Sewers for 35 years.

1627. Sir James Bagge,² Mohun, and Sir Ferdinando Gorges issued a commission out of this Court to examine Lord Robarts and Sir Wm. Strode.

¹ Sir Joseph Mead in a letter to Sir M. Stutteville, says, "There was at the end of the term a mad case censured in the Star Chamber—a knight bachelor falling out upon some words with a baronet, the baronet told him he was a better man than he. The knight asked, why? The baronet replied that by the dignity of baronet, he was *honorable*, the knight but *worshipfull*. The knight in indignation said, he would beat his honour out at his —, and therefore bummed him soundly, pretending he did it to drive out his honour out the back door aforesaid. The knight was fined £500 and the baronet exceedingly laughed at. (Court and Times.)

² In 1634 Sir James Bagge accused Lord Mohun in this Court, for charging

1627. George Vernon, elect. serjeant at law, was sentenced for slandering the justice of this Court.

1628. Christr. Malloy was sentenced for having played the devil's part in a play at Sir John York's house in York-shire, and in that character had carried King James to a supposed hell upon his back, alleging that all protestants were damned.

1628, Oct. 31. This day was heard the case against Jo. Hiron who falsely represented himself to have been a confederate of Felton the assassin; also against Andrew Banyer for harbouring Hiron.

Among the Rawlinson MSS at the Bodleian Library is a thin folio (4, 128 fo 127) containing proceedings in the Star Chamber, and the High Commission in 1632.¹ The first 26 pages are devoted to Star Chamber proceedings, and are intituled,

"IN THE STARRE CHAMBER, 20 APRILIS 1632.—ANNOQ.
REG. CAROLI OCTAVO."

4 May, 1632. John Richards, of Devon, gent. v two Constables. It seems that they had summoned him to a

him with cozening the King of £20,000 in the matter of the victuals and billeting soldiers in connexion with the expeditions to Rhé and Rochelle,

In this unfortunate expedition, the men embarked were 7833.

439	killed on landing
3995	„ in the assault, &c.
120	„ by flux brought on by eating grapes
320	missing

4844

In 1635 when Sir James Bagg was before this Court, the King wrote to the Court, referring to the information given by Lord Mohun in 1634 that Bagg had defrauded the King, of £30,000. S.P.O.

Qy. If this was an ancestor of "Major Baggs, type of the gentleman blackguard, who won and lost £100,000 at the gaming table, fought eleven duels, and ruined forty persons at the serious matter called 'play.' Athm. 30 Nov., 1867.

¹ Qy., if a Copy of this Book has not been made for the Rolls Record Office.

local bench for hoarding corn, and then broke into his premises to establish the charge. The Court decreed that the suit was not worthy this Court and that the constables only did their duty.

7 June, 1632. *Sir John Jackson v Lord Visct. Saville and others.* For a riotous assault with weapons.

8 June. Cross-suit. *Saville v Jackson.* For malicious entry upon land under pretence of hunting.

Atty. Genl. v Browne, an attorney. For an illegal execution out of the Common Pleas.¹

20 April 1632. Before the Lord Keeper, Lord Manchester, Privy Seal, Earl of Danby, Sir Thos. Richardson, and Sir Robert Heath—

The *Atty. Genl. v Theodore Kelley*, gent. For a challenge sent to Sir Arthur George Knight. The letter of Mr. Kelley was read, stating "that he was as good a gentleman as himself and had learned so much at Cambridge, that Sir Arthur was to expect noe other from him than he promised to do unto him which was to cudgell him," &c. "In Lent last, there being a play to be acted at Trinity College in Cambridge before the King, there was a great press of people, which thrust him, the examinant, upon Sir Arthur George, that he turned to this examinant and said that he would cudgell him this deponent, or that he deserved to be cudgelled. The said Sir Arthur had a lady by the arm."

Cooper, clerk, & ors. v Crokey and Wright. There having been suits about land belonging to the School at Wootton Underedge, the defts. published a great number of libellous books which were printed and sold at Bristol. Fined £200 and £100, and the books to be burnt at the Assizes, &c.

¹ The other cases recorded in the MS, have been already noticed in these pages.

Waterhouse, gent. v Ingram Mil.—Plt. charged deft. with several forgeries and other foul offences, but failing to prove them, the Court fined him £500 with £500 damages, to make submission and acknowledgment in Court at the York Assizes, standing upon a stool, and afterwards "at the block at Halifax."

Morgan v Welch. Riotous rescue.

Ferriby v Houlding and *è contra.* Cross-riots.

Atty. Genl. v Hammond and others. For making farthings and selling them for their own profit at 25 shillings worth for 20s. in money. Fined £500 each and to be set in the pillory in Cheapside.¹

The *Atty. Genl. v Taylor* and 6 others in Norfolk.² For hoarding corn to increase the price; buying corn and did not bring it to market. Fined £100 each and to acknowledge their offence at the Assizes.

Atty. Genl. v Carrier and others. For assuming the office of Bar-master, within the Wapentake of Wirksworth, and taking by force Guister ore from the miners. Carrier fined £500; his wife £100; Noton 100 marks; Wright £50, &c., Carrier on other charges referred to the High Commission.³

EASTER TERM 7 CAR.

Weston, knt. v Pargiter, armr. For the publication of an *Innotescimus*, obtained by fraud, of a pretended indenture of the 9th Eliz. between John Vaughan, Esq., Dame Anne

¹ The custom of coining half-pence and farthings was very common about this time, and continued to about 1672. In the Corporation records of Henley, are frequent notices of it, thus—

"1678, Jan. 26. The Bridgemen received the profit of 21 lbs. of farthings, and 44 lbs. of half-pence, £46, which was laid out in repairing the bridge." Burn's History of Henley, p. 88.

² Toby Peddar, John Tubbin, Nichs. Browne, Rt. Money, John Boulton and Hy. Cougham.

³ See High Commission, p. 57.

Knevet, and Thos. Knevet of the one part, and Edwd. Lord Windsor of the other part, of the Manor of Greatworth, Northamptonshire. Deft acquitted, but the Innotescimus declared void.

Moor, armr. v Sir Wm. Norris, knt. and others. For giving Moor a justice of the peace, the lie, also striking him with his sword. Mercer framed infamous libels of the plt., his wife, and daughter, and Byers published them. Mercer committed, fined £1000; if he was an attorney, "to be thrown over the bar," &c., &c., &c. Byers fined £200 and Sir Wm. £1000 with damages to plt.

Caston v Hitcham, mil', justice of the peace. For publishing at the Sessions some libellous articles he had received concerning plt., and on the trial of a cause against deft., sent these articles to Mr. Justice Harvey, and after verdict sent for the jury and told them they were a company of fools, or the verdict would not have been against him. Committed and fined £200.

Atty. Gen. v Ewar, armr. For speeches against the Earl of Danby, "calling him a base cheating, cozening lord, (and other dirty expressions not fitted for repetition)." £1000 fine, £1000 damages and an acknowledgment to be made at Oxford Assizes, and the Earl's forgiveness asked.

Atty. Genl. v Grenville, bart. For malicious speeches of Theophilus, Earl of Suffolk, calling him a base lord, &c. Fined £4000 and imprisonment during pleasure, and damages £4000.

Best, a pauper v Neale and Winter, armr. and others. Neale wishing to get possession of plaintiff's house, tried to starve out the plaintiff, his wife, children, and mother, and took away a woman's horse, who was going to them with food. The mother, aged 80, died. He also with an axe cut down three of the doors and beat off the tiles. Fined £500.

Bulkly, armr. v Bishop & al. For maliciously removing the cap of the sluice of plt.'s fish pond, and letting out water. Fined £100.

Stace v. Walker. Deft. defamed plt. and indicted him for stealing his sheep. Accused him while sitting as one of the Jurats of Tenterden, libelled him, &c., &c., &c. Fined £1000, to be set on the pillory at Tenterden and Canterbury and at each place losing an ear, to be tied to the tree where he hung the wool a whole day, with the wool about his neck, to be set on the pillory at Maidstone. Damages 500 marks and imprisonment for life.

Robinson, armr. v Stafford, armr. and others. Dr. John Scott, dean of York, inveigled Robinson into calling upon him at the Bull at Stamford, when Stafford broke his head with the ivory handle of his whip. Stafford fined £1000, Dr. Scott £500, and Nauton £100. Damages £500.

Read, gent. v Bent, gent. For extortion as the Feodarie of Leicestershire. Fined £1000 and disabled.

Bernard v Stafferton, gent. & al. Bernard being seized of a messuage called Hornes, held of the Manor of Hall-place, Com. Southampton, Stafferton as lord of the manor, and one Greenway, "by lewd means," obtained possession of the house and also of plt.'s goods. Stafferton fined 1000 marks, and to stand on a stool at Winchester Assizes with a paper on his head. Greenway to be set on the pillory at Westminster and Winchester, and at the latter place to be well whipt. Damages £100.

Apsley, armr. v Ridley and Son, and others. Riot. Two fined £500, one 100 marks, and six £40 each.

Reeve & anr. v Grey. For a misdemeanour in arresting one on a writ issued against another of the same name, and for arresting plt. on suspicion of stealing a shirt, (the object being to get plt.'s reversion of certain lands). Fined £50 and damages £50 and disabled to practice as an attorney in the Common Pleas.

Vezey, armr. v Turner & al. For maintenance and prosecuting suits in other men's names against the Lord of the Manor and secreting his ward. Eldred and T. Turner fined £500, Eliz. Wace, the ward's mother £100, two others £50 each. Acknowledgments to be made at the next Court Baron, and at the Essex assizes, &c., &c.

Sheldon, widow v Sheldon, gent. & ors. Plt.'s husband dying, seized of lands in common socage, the defts. and Atkins the Escheator conspired to treat the land as having been held *in capite* and obtained from the Master of the Wards and Liveries a mandamus, and the plt. was turned out of possession. Wm. and Edwd. Sheldon fined £200 and £300, and the Escheator £100, Damages £800.

1633.¹

Tapson, gent. v Rowe, gent. & ors. For riotous outrages. Fined £500, £400, & £400, and £100 & £40 damages.

Dominus Barkley v Poole & ors. For killing deer in plt.'s park called "The Worthy." One fined £200, two £100, and five £50 a-piece. £100 damages.

Bacon, armr. v Sir Henry Anderson & ors. Deft. wishing to get from plt. the rectory of East Cowton, threatened to fire his hay, and riotously assaulted plt. Sir Hy. and his son fined £500 each, two others £200, and £100 damages.

Wicksteed v Constantine. For maintenance of a suit. Fined £100.

Southern, mil., v Herne and 17 others. For a riot at Westland Heath, Norfolk. Webster the "captain" and Brown the "lieut." fined £100 each, the rest £50.

Atty. Genl. v Overman & ors., soapboilers. For using fish-oil, obstructing the assay master, &c. Griffin fined £1500, Overman and Whitwell £1000 each, Baker, Troughton, Cox, and Revel 1000 marks each, Hardwick, Overman, junr., Barefoot, Hayes, Hynde, Washer, Barber, Weedon, and

¹ In Michas. Term this year, there were to be 13 days of sitting, and 53 causes to be heard. (S.P.O. Domestic.) Secretary Windebank's lists of the causes pending, with notes of the nature of each are in the State Paper Office.

Monck £500 each, and disabled thereafter to use their trade.¹

Wren, armr. v Sir Rd. Houghton & ors. Wren being put into possession of the Manor House of Lea, under a commission of the Court of Exchequer, the defts. with 60 others by force and fraud got possession. Fined £100, £50, and £50.

Wingfield, mil. v Ogle, armr. & others. Riotous assault and wounding. The three Ogles £500 each and £1500 damages.

Ellemosynarius Regis v Turney. Relating to a bond given by one Howes to John Turney, a *Felo de se*.

Barker v Hammond & al. The defts., in contempt of an order of the Court of Wards, came in a field and prevented the carrying of corn and made a riot and assault. Fined £40 each and damages £20.

Dunne v Rea & al. Defts. entered a house where some children were in possession, and then with weapons said, "none should come in but upon the sharp." Rea fined £200, four others £40 each, and two others £20.

Atty. Gen. v Reignolds. For a witless and malicious letter to Mr. Brooks, a proctor at York, and Thos. Squire, a clerk in the Consistory Office, "That the Bishop² is so strong—" "that if bribery will be taken, you must lie all along," "because the Bp. — warrants at every door." Fined £500, to be set on the pillory at Wigan, Lancaster Assizes, and at Chester.

1635. *Robt. Peyton, clerk v Nichs. Penny* and others. Henry Penny having a libellous song³ concerning plt., sang

¹ This is no doubt the "Soap Business" mentioned in Laud's trial; they were accused of disobeying the King's Proclamations, which Laud was said to declare were equal to Statute Law, and that Laud had compared the King to the stone spoken of in the Gospel, "upon whomsoever it falls, it will grind him to powder." Laud's Life, 234.

² John Bridgman, Bp. of Chester.

³ The plaintiff had reproved the defts. with their disorders, and they represented the plt. as a black bull with a white ring about his neck.

it in presence of several persons. H. Penny finding it folded up, opened and read it, and shortly after meeting Holby, read him a verse of it and then laid it on the table. Holby took it up and next day handed it to another man and so it circulated. The three fined £200 each with 200 marks damages. Henry Penny to stand on a stool in the church porch while the parishioners are coming to church, with a paper on his head declaring his offence.

The Earl of *Kingston v Pettinger*. For scandalous words at Barnsley, Yorkshire. Fined £200, damages £2000, and to be publicly whipt.

The Atty. Genl. per rel. *Jacobson v Canvey* and others. For riotously destroying enclosures in the Forest of Braydon, (Gloucestershire), sometimes 1000 in number, some disguised. Three ringleaders fined £500 each, to be set in the pillory in women's clothes, and well whipt, 3 others £300 each, and 28 others £200 each with £2000 damages. John Parker for threatening a King's messenger, £500.

Bond, Esq. v Goddard & ors. For killing the King's deer in grounds near Albourne Chace. The two Goddards £500 each, the wife £50, and Cox £300.

Cornwallis, Esq. v Wilkinson, clerk. For fraudulently obtaining a writ of *Diem clausit extremum*, and falsely swearing before the Escheator, and obtaining a grant of wardship and a lease of the lands. Fined £500, to be set in the pillory at York Assizes, and referred to the High Commission to be degraded.¹

Leigh, knt. v John and Henry Wood. For killing deer in Bradley Park, Com. Lancaster. Fined £100 each and three months imprisonment.

¹ The same case is elsewhere reported thus—Thos. Cornwallis v John Wilkinson, clerk, and Jane Holdenby, widow. For a practice to obtain an office after the death of Robert Holdenby, and to procure the jury to find that he had died seized of lands, which he had previously sold to the plaintiff. The case involved several forgeries by Wilkinson.

7 CAR.

Atty. Genl. *v* John Caston, an attorney of the King's Bench, and Guinea and Walton, bailiffs. For champarty and many oppressive suits, &c., &c. Caston was fined 1000 marks, and to be thrown over the bar, &c., &c. The Archbishop of York observed, as he said, the finger of God, in that he had pointed to the Court as it were, that as there was a nest of vermin discovered, so that this man and such as he were worse than vermin¹ &c., &c.

16.. Mr. George Walker, (a preacher at Mercer's Chapel) was censured, for that the scope of his sermon was to obey God rather than man. "He was first committed by the Council Table, and after, upon some carriage of his, then by this Court." Laud, p. 238.

8 June 1632. Michas—Smith, A Osmanton, and Martha his wife *v* Tufton, armr., Benjn. Martin, Joseph Turpin, and others, for libel. The defts. made verses "of the purer sort," which were set to the tune of "Tom of Bedlam,"² (and shewn to some of the Jurates of Rye), and to the following effect.—

["There is a report of a crime committed between some of the holie brotherhood, ending with a scurrilous verse, "Wench lie still," &c., and none did suspect that they were the elect, up the hill they came tripping, with nimble bodies bending, and upon her he nymblye skipped, and soe when he had instructed her, he said, 'Yonder cometh a sinner.' Her husband then like a heavy headed man came up the hill lamenting—the bell ringing away, they haste to sermon—her face is long, her brows are black, her high wooden heeles they are in the fault, they made her catch a fall, and as for the man, so holie he is, that he will speak to no body he meets, &c."]

¹ This was in allusion to a nest of young rats or mice which came from behind the King's Arms. and came about upon the plaster or beams, till three or four of them fell down in the Court and one lighted on my Lord Richardson's back, when the cause was being heard on the 27th April. In the Book at the Bodleian this case occupies 16 pages.

² Mr. Justice Richardson said that the tune was "Watch currants and Tom of Bedlam," he added "The poor Sword-bearer of York was sent for a quart of wine, and by the way, there was a libel reading, and he did but stay the reading, and heard it and laughed at it, and this was punished here (in the Star Chamber) and that severely." Rawlinson's MSS.

Turpin, (of Rye,) said they were verses of the purer sort and got them copied. All the parties were fined.

✓ 1628. *The Duke of Buckingham* was accused for divers great offences and misdemeanours, but the King signified his pleasure, being satisfied of the Duke's innocence, that the information and all the proceedings should be taken off the file. 16 June 1628. Rushworth, p. 638.

✓ 1629, 7th May. An information was filed by the Attorney General against *Sir John Eliot, Denzil Holles, Esq., Benjamin Valentine, gent., Walter Longe, Esq., Wm. Corriton, Esq., Wm. Strode, Esq., John Selden, Esq., Sir Miles Hobert and Sir Peter Hayman*, for their conduct in the House of Commons.¹

1628. Humphrey Fox, of Llandisele, com. Montgomery, was fined £200.²

1627. A suit was pending against one Richard, as to a ship, the *St. George*, which he was accused of having sold. S.P.O.

✓ At the same time, the Attorney General filed an information against *Mr. Rd. Chambers*, a merchant of London. It appears that having a case of silk grooms brought from Bristol³ to London by a carrier, they were seized by some

¹ The Parliament in 1641 awarded these persons £5000 each as compensation for their imprisonment. Rushworth I., Appendix 59.

² This fine was granted to Richard Williams the king's servant. (S.P.O.)

³ On the 1st August 1634, John Barker, an alderman of Bristol, writes to Nicholas, then one of the secretaries of State of "the molestations which the merchants of that city have sustained within the last 5 years, by ungrounded informations and pretended bills in the Star Chamber, at the suit of the Atty. Genl., unwonted and vexatious commissions, false informations of the officers of the Customs there, and insolence of His Majesty's messengers and common informers, 1.—The King having granted licences for transport of some commodities prohibited by law, and the officers having received money for customs and licence, they have afterwards conspired with informers to molest the merchants for the same. 2.—The officers conspiring with the King's messengers have informed the Attorney General, whereupon messengers have been sent for many to appear. Nothing could be proved, but they were compelled to give large fees to the messengers before their (discharge). 3.—Twenty merchants have been served with subpoenas out of the Star Chamber, at the suit of the Attorney General, and some of them appearing, no bill has

under-officers of the Customs, that being summoned to the Council Board at Hampton Court with other merchants, he said before the Council that "the merchants of England were more wrung and screwed than in foreign parts." He was fined £2000. There was great difference of opinion among the 22 members of the Chamber as to the amount of the fine, some proposing £500 and some £3000. Chambers resolutely refused to pay the fine or make the submission and therefore suffered 6 years' imprisonment in the Fleet, and afterwards 9 months in Newgate for withstanding ship-money. (Rushworth I. 682.)

February 1630. Alexander Leighton, (the father of the Archbishop,) was fined by the Star Chamber £10,000, for two books, "Zion's plea," and "The looking glass of the holy war;" he was then transferred to the High Commission Court, to be deprived of his ministry, then to be whipped, pilloried, to lose his ears, his nose slit, his face branded with a double S for sower of sedition, and lastly sent to the Fleet for life.¹ This horrid sentence was executed in November 1630, in the midst of frost and snow; as according to the terms of the sentence he was to be publicly exposed and punished twice, the second part of it, after the short interval of seven days, (his back and face being yet excoriated and disfigured,) was inflicted with unrelenting severity. "He was then in the vigour of life, had a fair complexion, and engaging

been put in against them, yet they have been compelled to give largely for dismission, not knowing their accusers or offence. 4.—Commissions have been issued to examine seamen, touching payment of customs and imports, and they have been tempted to accuse the merchants by whom they live, and threatened for not doing so. 6.—A commission is now on foot concerning short entries in time of reprisals, and merchants examined, albeit they formerly paid all duties justly. Such vexatious suits have cost the merchants in five years more than £1000."

1 "While the Court was pronouncing this barbarous sentence, Laud, pulled off his cap, and at the close, gave God thanks."—(*Life of Leighton.*)

This was however, perhaps the ceremony on passing sentence, as noticed at p. 45 of the High Commission.

When on his trial, Laud attempted a justification of his cruelty; he said "to take away the ear, is not loss of hearing, and so no member lost; so for burning the face, or whipping, no loss of life or member;"!! and so he persuaded himself that he was within the canon, which forbids a clergyman to have anything to do with a sentence affecting life or member.

Stow says there was a whipping post in Cheapside, called the Post of Reformation, near the Standard there.

countenance, he was eminent alike by his office, his learning, and his piety," he lay in the Fleet prison more than ten years. (*Life of Archbishop Leighton.*)

As the Star Chamber did not usually sit after Term, and it requiring sometime in the High Commission Court to degrade the prisoner, it was the 4th of November before he was degraded, and on the 10th (being a Star Chamber day), he was to have had his punishment, but the evening before, he escaped from the Fleet in the following manner. Livingstone put off his cloak, hat and breeches, all of a grey colour, and Anderson his doublet, and Leighton put them on, and in that disguise they all three went out of the Fleet unsuspected. A hue and cry was raised, and Leighton was taken in Bedfordshire, and the sentence was executed on the 16th and 23rd of Nov. Livingstone and Anderson were sued in the Star Chamber, fined £500 and committed during the King's pleasure.¹

12th Oct. 1632. Thos. Jupp, a clothworker of the city of London, was convicted of buying 110 flemish ells of Minskings Bays of Bocking, and counterfeiting the seals affixed to the Bays of Colchester, and fixing them to these inferior goods. The Star Chamber declared, "That the offence is a false cozenage and deceit to the buyers, and a prejudice to the sale of their cloths," and decreed "the said Thos. Jupp to be committed to the Fleet, fined £1000 to the King," set in the pillory in Cheapside, with a paper in his hat, also set in the pillory at Cornhill Exchange, Blackwell Hall, Bocking, and Colchester, upon several market days. (Rushworth, II, 148, where is a copy of the decree and the examination of witnesses.)

✓ In Feb. 1632. *Henry Sherfield, Esq.*, a benchor of Lincoln's Inn, and recorder of Sarum, was censured for taking certain pictures of God the Father, out of a glass window in St. Edmond's church in Salisbury. The defence showed that this had been a Collegiate church, and was then a lay fee, the property of Giles Tooker, Esq., (one of the defendants), that the window did *not* contain a true History of the Creation, but represented six little old men, clothed in

¹ But the Court did not stop here, they committed a poor button-maker, for putting his mouth to the key-hole of the prison door where Leighton lay and crying aloud, "Stand to it, doctor, and shrink not."

long blue coats, and to each day was introduced one of these little men—for the *third* day's work, there was a little man having in his hand the similitude of a carpenter's compass, "as if he had been compassing the sun to give the true proportion thereof," and so on. At the censure of the Court, the Bishop of London (Laud) justified the painter of the window from the scripture where God is called "The Ancient of Days," but the Earl of Dorset replied that the meaning of that text was "God from Eternity," and not God to be pictured as an old man creating the world with a pair of compasses. Nevertheless Mr. Sherfield was fined £500, to be removed from the recordership, to make a public acknowledgement of his fault, and be bound for his good behaviour.¹ Rushworth II. 153, State Trials, vol. I.

Easter Term, 1633. *Sir Edwd. Bullock* was convicted of the cruel persecution of one Blackhall, who refused to sell his land to the defendant; he pulled down his house, turned out his wife and children, &c., &c. For this, Sir Edwd. and Boydon and Tassel (his confederates) were sent to the Fleet. Bullock fined £1000. Baydon and Tassel £50 each, and Bullock to pay the plaintiff £100 damages. Rushworth II. 188.

23 Aug. 1633. An order was made in the Star Chamber, reciting the patents granted for making of *soap*, and directing the use of olive oil and rape oil only in the manufacture. (Rush. 191.) For a copy of the decree, see do. App. 109.

In Michaelmas Term, 1633, the Star Chamber made a decree upon several domestic matters; amongst others it was found that the price of *victuals and horse-meat* was excessive,² ✓

¹ The Secretary stated that it was the King's pleasure that the Bishop should cause the acknowledgment to be done publicly, and with as much submission both in word and behaviour as may be. The Bp. is to require the Dean and Chapter, and as many of the prebends, and others of his clergy, as are within convenient distance, with the gentlemen of the county, to be present, &c., &c. (S.P.O.) The reader will here, no doubt, trace the animus of Laud, which has been already noticed. He was always ready in questions of punishment, "to agree with the highest."

In the State Paper Office, 1631—1633, No. 89, is a narrative of Sherfield's case and an account of what took place between him and the Bishop of Salisbury; and in the Domestic Calendar (1635), a note that Marmaduke Lynn was paid £120 for prosecuting the suit.

² In 1593 it was ordered that Bakers were to sell to Innholders and Victuallers 13d. worth of bread for 12d. whether man's bread or horse bread, and were not to make spice cakes, buns, bisket, or other spice bread, except at Burials, the Friday before Easter, or at Christmas.—*Stow*.

"and that instance thereof was given by His Majesty's officers of the Green Cloth, in several provisions made for his Majesty's house, *whereby the weekly accounts of the household were much increased.*" These matters were referred to the judges, who among other things certify that "for horses that come to inns in the day time, the innkeeper should take a penny for a horse for his stable-room, not being unbridled—if he be unbridled and have hay, then 2d. and go away the same day. Also that those, who keep ordinaries, shall only take 2s. for a meal, and 8d. for the meal of a servant attending his master.

The contents of the decree are—

1. Against ingrossing, and especially of grain by chandlers.
2. That taverners should not sell *Victuals* within their houses.¹
3. That bakers sell not at 14, 15, or 16 to the dozen as hath been used.
4. Against the excessive rates of ordinaries, that none exceed two shillings a meal.
5. That ordinary keepers, taverners, and victuallers keep not houses of gaming.
6. For the present rates of horse-meat and for regulating for the future.
7. For suppressing inconvenient time of petty-ostrics in corners, kept by such as are neither victuallers nor innkeepers, nor answerable for the goods of their guests.

1633. *Bashen v Sir Hy. Bealing and Lord Sarsfield*, Viscount Kilmallock, chief justice of Assize in Ireland. Bealing maliciously charged the relator's father with murdering his wife, but the indictment was ignored twice, as the woman had died a natural death. Bealing then sought the help of Lord Sarsfield, who packed the jury, refused evidence of the father's innocence, and the poor man was found

¹ This liberty was restored to them by the King in 1635. (S.P.O.)

By a decree of the Star Chamber of the 13th Nov., it was ordered that no baker should sell bread at any other rate than 12 or 18 for the dozen, whereupon most of the bakers refuse to pay the poundage, which, time out of mind has been paid to the vintners, innkeepers, victuallers, and chandlers of London and Westminster, and they petition the Star Chamber for redress.

guilty and executed !! "For this foul carriage the judge was sent to the Fleet, fined £2000 to the King, and £1000 to the relator. Bealing was sent to the Fleet, and fined £500 to the King, and £250 to the relator. (Rushworth II., 230.)

1633. *Sir David Fowlis, Sir Thos. Layton*, (high sheriff,) and Hy. Fowlia, Esq. were accused of not attending the Coronation and accepting the knighthood, or paying their fines, also for abuse of the chief commissioner, &c., &c. Sir David was sent to the Fleet and fined £5000, deprived of his seat in the Council of York, of his office of deputy lieut., and justice of the peace, &c., &c., and to pay £3000 to Lord Wentworth.¹ His son to be sent to the Fleet and pay £500. Sir Thomas Layton was acquitted.

Peter Apsley, being on board ship, sent a letter challenging the Earl of Northumberland then in attendance on the King in his journey to Scotland. There was great diversity of opinion as to the punishment. The Atty. Genl. regrets that it is not death. Lord Cottington suggests a fine of £5000, Mr. Justice Heath, £1000, but has no followers, while *Laud* said, "Duel is against the law of all nations. He that dies in hot blood, dies out of charity, denied Christian burial in other nations, he is no christian." Fine £10,000 and agrees in all the rest with the highest.²

1633. *Mr. Wm. Prynn*, an utter barrister of Lincoln's Inn, was brought to the Star Chamber, together with Michael ✓

¹ Secretary Windebank made a note of *Laud's* speech on this occasion: "all *fowls* have a moulting time, especially of sick feathers." "In the highest sentence for fine and other punishments."

In May 1636, Sir David prayed, that having been two years and a-half in the Fleet and as it will be dangerous to live in the Fleet if the sickness increases, he may retire into the country. S.P.O. 1635—1636.

² He was fined \$5000 with disability to hold office, and sent to the Tower. In the suit against George Mynne and Rd. Dawes, for exaction, Lord Cottington moved for a fine of £3000 which was agreed to, but *Laud* added that "if any had gone higher, he would have done so too." Even Lord Clarendon says of *Laud*, that he never abated any thing of his severity and rigour, towards men of all conditions; or in the sharpness of his language and expressions, which was so natural to him, that he would not debate any thing without some commotion, when the argument was not of moment, nor bear contradiction in debate even in the Council, when all men were equally free, with that patience and temper that was necessary, of which, they who wished him not well, took many advantages, and would therefore contradict him that he might be transported with some indecent passion. Vol. I. p. 99.

✓ Sparkes, Wm. Buckner, and four others, for a libellous book of 1000 pages, called *Histrion Mastix*, against plays, masques, dancings, &c., "although he knew that the queen, lords of the council, &c. were spectators of such things," also against hunting, public festivals, christmas keeping, bonfires, and May-poles. He was sentenced to be dis-barred, degraded at Oxford, to stand in the Pillory at Westminster and Cheapside, to lose both his ears, fined £5000 with perpetual imprisonment. [Buckner, the late archbishop's chaplain, for *licensing* the book, fined £50 and imprisoned, Sparkes, the *printer*, fined £500, to stand in the pillory in Paul's church yard. "It is a consecrated place," saith the Abp. of Canterbury. "I cry your Grace's mercy," said Lord Cottington, "then let it be in Cheapside." [State Trials, vol. 1. Rushworth II. 234.]

For an account of his imprisonment in Wales, and the prosecutions arising out of his journey thither—his release by the Long Parliament, and his damages against his judges, See the High Commission, 1865, p. 69.

In Trinity Term, 1637, the Court was engaged with the information against John Bastwick, Dr. in physick, Henry Burton, B.D., and Wm. Prynne, barrister at law, for writing and publishing a seditious, schismatical and libellous book intituled, "News from Ipswich." The defendants prepared their answers, but their counsel were backward to sign them, for fear of offending the Court, on the other hand, it was said that the answers were such as they could not sign. The defendants then petitioned that they might sign their own answers, but this was refused, they then tendered a cross bill containing the substance of their answers, but this was refused, and the Court proceeded *pro confesso*. Mr. Burton's answer was afterwards signed by a Mr. Holt, but nearly all was expunged as scandalous, and it was ordered that if he would not sign the answer as expunged, and answer to interrogatories, he should be proceeded against *pro confesso*. Each of the defendants fined £5000, Bastwick and Burton to stand in the pillory and lose their ears, Prynne, having lost his ears before by sentence of this Court in 1633, he was sentenced to lose the remainder of them and to be branded on each cheek with SL Seditious Libeller. On the 30 June the sentence was carried out, the hangman rather sawing off

the remainder of Prynne's ears.¹ The three were sent to the castles of Launceston, Lancaster, and Carnarvon, and afterwards removed to remote islands. The wives of Burton and Bastwick to have no access to them, nor any friend to Mr. Prynne.²

¹ When Prynne was brought up for sentence, Finch said, "I had thought Mr. Prynne had no ears, but methinks he hath ears," thus noticed, the hair was turned back and the clipped members exposed, "upon the sight whereof the lords were displeased they had been formerly no more cut off;" he was sentenced to lose the remainder which was done so cruelly and closely, that a piece of his cheek was cut off with it. Foss's Judges—State Trials, vol. 3.

² Laud's speech on this occasion was ordered by the King to be printed, and came out on the 26th of June. In August following, the speech set in a kind of pillory, was hung on the Standard in Cheapside. Laud's Diary. ✓

A HYMN TO THE PILLORY. (1640.)

How have thy opening Vacancies received
 In every age the criminals of State,
 And how has mankind been deceived
 When they distinguished crimes, by fate—
 Tell us great engine how to understand
 Or reconcile the justice of the land,
 How *Bastwick*, *Pryn*, *Hunt*, *Hollingsby*, and *Pye*,
 Men of unspotted honesty,
 Men that had learning, wit, and sense,
 And more than most men have had since
 Could equal title to thee claim
 With *Oats* and *Fuller*, men of later fame.
 Even the learned *Selden* saw
 A prospect of thee, through the law.
 He had thy lofty pinnacles in view,
 But so much honor never was thy due.
 Had the great *Selden* triumph'd on thy stage,
Selden the honour of his age,
 No man would ever shun thee more
 Or grudge to stand, where *Selden* stood before.

.....
 Bastwick's mind was said to be affected by his imprisonment.

Prynne was removed to Jersey, where he wrote some poetry, (4to 1641) called "*Mount Orgueil*, or divine and profitable meditations—

Shut up close pris'n'r in Mount Orgueil pile
 A lofty castle, within Jersey isle,
 Remote from friends, neere three yeares space, when I
 Had rockes, seas, gardens, dayly in mine eye.

A pamphlet about 1641 is intituled, "The Bishop's Potion, or a Dialogue between the Bishop of Canterbury and his Physician." The physician takes up various papers containing charges against the Bishop.

Dr. But what is this? a paper—'tis if I be not mistaken a *Star Chamber Order* made against Mr. Prynne, Mr. Burton, and Dr. Bastwick, had you any hand in that?

Cant. I had, I had, all England knoweth it. But I pray, Master Doctor, what was this (Potion) made of?

Dr. Why, my Lord, Three oz. of tobacco, 3 scruples of pillory powder, one scruple of his brains that looked over London Bridge, and 3 handsfull of the herbs gathered by the apprentices, wrapt up in a *High Commission Roll*, and boyled in a pottle of holy water, and strained through a pair of lawn sleeves." (Collection of Pamphlets, Geo. III.)

The news of this cruel sentence and the execution of it soon flew to Scotland, and the people there attributed the whole of it to the bishops, and that they might expect a *Star Chamber* in Scotland, in addition to the High Commission. Accordingly about five weeks after the sentence, a great tumult occurred about the introduction of the Service Book. No sooner was the Liturgy begun to be read in the great church in Edinburgh, (the bishop and dean being in their whites), but the people in the church with great outcries and clamors, threw a stool at the head of the bishop, crying, "A Pape, a Pape, Antichrist, Antichrist, stone him, stone him," and the magistrates then present had much to ado to preserve the bishop from the fury of the people. Rushworth III. 385. (Harl. MS., 4022.)

1634.

Atty. Genl. v Whorwood, knt. Deft. having a commission to examine witness, made the prosecutor drunk and got

copies of the interrogatories. Order'd to pay the prosecutors 20 nobles a piece for their costs, and 20 nobles to Guest for his attendance at the commission. (Harl. 4022.)

John Redman *v* Robt. Greene and others. For conspiracy to indict Redman for stealing Elizabeth Codrington his master's daughter and marrying her against her will. Redman was ostler or groom to Codrington, and by indirect practices, spells, &c., got away the daughter. The court dismissed the bill, "thinking it not fit to give any countenance for such base grooms to inveigle their master's daughter; think the cause not worthy the court." (Harl. 4022.)

Gibbs *v* John Lloyd and others. Lloyd built a chapel on his own land near the side of a common and "walled it about with a churchyard," and it was consecrated by the Bishop. The servant of Lady Price, lady of the manor, pretending an encroachment, threw down the wall. Plt. dismissed with a fine of £20 for false clamour, and if he do not pay it, Lady Price must. (Harl. 4022.)

25 April 1634. Sir Francis Crane, knight, plaintiff, and *Wm. Hawks* and others, defendants, for making and vending £200 worth of counterfeit *farthing tokens* against the royal proclamation. The decree amongst other things provided against the abuse of forcing these tokens upon men for wages, and for directing the right use of them. Fined £200 and to be set in the pillory at Westminster and Cheapside.

June 20, 1834. Present—

The Abp. of Canterbury	Earl of Bridgewater
Lord Keeper	Lord Cottington
The Abp. of York	Lord Newburgh
Lord Privy Seal	Mr. Treasurer
Lord High Chamberlain	Mr. Comptroller
Lord Chamberlain	Mr. Secretary Cook
Mr. Secretary Windebanck	

The court ordered that no greater payment than two pence should be made in farthings and that no person should buy or barter for them at a lesser rate than they are sold by the patentees.

1634. *Myn, Esq.*, clerk of the Hanaper, and *Dawe*, his deputy, were accused of great extortion in demanding illegal fees from sheriffs, and on patents, commissions, &c. They were committed to the Fleet and fined respectively £3000 and £300. (Rush. II. 267.)¹

1634. The Atty. Genl. *v Sir Anthony Roper, knight*. The defendant being possessed of several farm houses, with tillage land, converted the whole into pasture, and suffered a water corn mill to go to ruin. Committed to the Fleet, fined £4000, and to acknowledge his offence at the Kent assizes. To pay £100 and costs to the prosecutor, £100 to the minister of the town of Farningham, £100 to the poor, to rebuild the the farm houses and mill, and restore the land. (Rush. II. 270. In the Appendix, p. 106 is a copy of the decree.)²

1634. The next case arose out of a ball room fracas. It was on the relation of Sir George Theobald, knight, (one of the gentlemen pensioners), against a *Mr. Morley*. The King and Queen were coming to dance in the dining hall at Whitehall, when Morley laid hands on Sir George's cloak, shook him, caught him by the throat, called him base rascal, base dunghill rogue, swore he would be revenged on him, &c., &c. His Majesty's treasurer and comptroller advised Morley to consider where he was, and that Sir George was His

¹ The case occupies several pages in the Harl. MS. 4022

² This was a suit under the acts against "*Depopulation*." The 4th Henry VII. stated that among all other things, great inconveniences did daily increase by desolation and pulling down, and by wilful waste of houses and tenements within the realm, and laying to pasture, land which had been customably used to tilth. And it enacted that if owners of tenements of husbandry with 20 acres of land in tillage did not maintain the houses, and uphold the tillage, the lord of the fee might take half the profits. This was followed by the 7 & 27 Henry 8; 5 Ed. 6; 2 & 3 P. & M.; and 5 & 29 & 43 Eliz.; and 1 & 21 Jac. I. See "*Depopulation arraigned*" by Robt. Powell, 8vo 1636.

In 1636, Marcellus Croson, Wm. Ingle, Wm. Croxall, and Henry Croson petitioned, stating that Lord St. John was informed against in the Star Chamber in 1634 for depopulation at Cole Orton, Co., Leicester, converting tillage into pasture. The petitioners were the witnesses, and St. John having made his composition, drives the petitioners out of the town where they were born and where their ancestors have lived 100 years.

Several commissions were issued to enquire of depopulations and conversions of land to pasture since the 10th Eliz. in the counties of Oxford, Cambridge, Warwick, and Nottingham. This, and the terror of the fine on Sir Anthony Roper, brought into the Exchequer upwards of £30,000.

Majesty's servant but he answered them intemperately. After the dancing was over and the King had gone out of the room, Morley challenged Sir George, and in the court yard took him by the throat and gave him several blows. For all this he was sent to the Tower, fined £10,000, to acknowledge his offence, to submit himself to His Majesty, the treasurer and comptroller, to pay Sir George £1000 and make such recognition to him as the Earl Marshall should direct. Rush. II. 270.

John Beaucler *v* Wm. Adamson and others. For endeavouring to make it believed that Beaucler had ravished Eliz. Clark and being resisted, inflicted wounds which were said to have caused her death—whereas on plaintiff's trial, the Marquess de Fontenay, the French ambassador, proved that plt. was at supper with him when the assault was committed, and so he was acquitted.

1634. The Atty. Genl. *v* Allinson and Robins. Allinson reported at Ipswich and other places that the Abp. of York entertained his Majesty on his journey to Scotland, and that on his going away requested His Majesty, *That the papists might have toleration for some churches to exercise their religion in—that His Majesty was greatly discontented thereat and confined the Abp. to his house.* Robins published this at Yarmouth. They were both committed to the Fleet, fined £1000 each, Allinson to be whipt, to stand in the pillory at Westminster, York, Ipswich, and Yarmouth; Robins to pay the Abp. 1000 marks damages. Rush. II. 269.

21 April, 1635. The Atty. Genl. filed an information against two or three hundred of the *Nobility and Gentry* for not leaving London and residing at their mansions in the country according to the King's proclamation. The list is given in Rushworth, including the Lords Clare, Newark, Monson, Mohun, Fitzwilliams, Tunbridge, and Stafford, "who hold places of employment in several counties," John Brownlowe, Rd. Moyle, George Lassells, and about a hundred squires more, and divers countesses and ladies of quality as the Countess of Oxford, Dame Jane Lambert, Dame Ellinor Terrbet, &c., and divers others who still secretly remain and abide within the cities of London and Westminster.

In this year 1635, there was a suggestion that Viscount Conway should have a grant of all arrearages of rent within

the Exchequer and Duchy of Lancaster, also the fines in the Star Chamber, until £6000, part of the sum due to him be paid. S P.O.

April 17, 1635. Sentence against James Maxwell and Alice his wife, who, in a petition to the King, asserted that the Lord Keeper had disobeyed the King's reference, infringed his laws, and oppressed the subject. Several of the judges voted that the woman should be whipt in London and Kent, while others opposed it. Ultimately the sentence was fines and submission. [They were afterwards pardoned their fines and imprisonment on account of their poverty, but they were to be sent away into Scotland.]

Crosse, Keyme, Goldsborough, Watterton, Davis, Pinel, Ayres, Forster, and Pye, messengers of the Star Chamber,¹ were suspended for the slow delivery of the writs and letters concerning Shipping, and a bill filed in this Court against them.

Oct. Order for the Bailiffs, &c. of Ipswich to attend this Court as to their petition about *Ship money*.

Atty. Genl. v Sir Rd. Sutton, Justinian Povey and others for exacting unlawful fees.

Henry Oxford and Ann his wife v Sir Henry Clovell and Robt. Merrial, for perjury—touching the validity of letters patent granted to the plaintiff for making sieves of cow-tails and ox-tails.

Sir Wm. Brunker v Robt. Note and others. A patent had been granted to plaintiff for the sole making of Kersey or twilly sieves,² a manufacture never before used in England, with power to seize *foreign* sieves. Plt. had a trade in Bridewell and employed 60 poor people, but the defendants, being turners by trade, combined to sell the foreign articles and opposed those who searched for and seized them.

¹ George Duke, mentioned at page 23, held an office of £1200 a year in this Court. In 1660 he petitioned to be appointed Secretary to the Council of Trade, he says he was engaged in the wars, taken prisoner in Dec. 1646—kept in the new prison near Thames-street on pump water and pottage till April 1647 and then turned out half dead and naked into Lambeth fields, made his way back to Windsor where he lived and engaged in a design, which was long continued, to surprise the castle for the King, had spies at Cromwell's Council, &c., &c.

² The evil of monopolies embraced even the making of sieves.

Sir Thos. Jenkinson *v* Lady Jane Jenkinson and William Page. Fine 40s. for "*false clamore*."

Atty. Genl. *v* Wm. Awbrey the elder, and others, for a riotous assault in Church. Fine £50 each.¹

John Prowling and Mary his wife *v* John Waldron and others for conspiracy. Ann Waldron, one of the defendants, being ill, was believed to be bewitched by Mary Prowling, who was consequently indicted for a witch. The notes disclose a case of pretended convulsions and fasting, which were ultimately confessed to be mere deception.²

Thos. Temple, clerk, L.L.D. of Bourton, Co. Glouc., *v* Bray Ayleworth, and others, for conspiracy to accuse plt. to have committed adultery in his parish church with Mary, wife of John Toms.³

Sir Edwd. Leach *v* Philip, Earl of Chesterfield and others, for plots and publishing false scandal.

Lord Chesterfield *v* Leach, for combinations and subornation of perjury. Charge dismissed.

Wm. and Andrew Burrell *v* Wm. Giles, clerk, and others, for a riot.

In this year a fine of £70,000 was imposed by this court on the Mayor, &c. of London, and a writ was issued from the Exchequer to levy the same on the goods of the city. The Mayor presented a petition stating that no personal estate belonged to the city, but only to orphans.

¹ "Riotts and contempts, and such as in our tyme is usuall sued and determined in the Starre Chamber, of ancient tyme heard and determined by certayne co'missioners thereunto assigned by the King." Addl. MSS, 5485.

² In the case of Nicolas Bacon *v* Sir Hy. Anderson, noticed at p. 91, it is stated in Vol. 362 at the State Paper Office, that "other persons besides Anne Mercer, drank of the alicant which was not ordered for her, and she was hurt in the neck with a brazen ladle, before she drank of it. The other defendants were charged with having ill used and terrified the witnesses who came to give evidence on the execution of a commission."

³ Secy. Windebank's notes of the evidence is in Vol. 312, S.P.O., Car. I.

The Atty. Genl. *v* John Milward, governor of the company of silkmen, and John Aubrey and others, assistants, for corrupt dyeing.

James Oates and Ann, his wife *v* Goodhand, feodary of the West Riding of York. The plaintiff (then Ann Whitley, spinster, above 16), he practiced to get made a ward of the King, and by false information to the court of wards, got her into his hands, and endeavoured to marry her to one Dewhurst, another ward of his. Fine £1500, damages, £500, costs £160, and sent to the Fleet.¹ [He afterwards petitioned the King to accept £1000 and in June was set at liberty on entering into good security for payment of the fine.]

The Atty. Genl. *v* Sir Nicholas Stodderd, Henry Hopkins,² James Ingram, and others. All, except Sir Nicholas, charged with exacting money in the Fleet prison under colour of fees due to the warden, and for sharing the moneys given to poor prisoners, among themselves. Sir Nicholas was charged with saying that England never prospered since it was governed by a Scot., and that no good came where a Scot governed, &c., &c.

Henry Hopkins, warden, and Jas. Ingram, deputy *v* the Earl of Buchan and others, for conspiring to cause the Fleet to be forfeited, and the warden and deputy fined.

Ed. Thurman, clerk, rector of Great Hallingbury, is sued in the High Commission court and also in the Star Chamber.

Anthony Earbury, vicar of Weston *v* Sir Edward Powell, containing scandalous charges against Sir Edward.

Wm. Watson, deceased in 1635, was fined three several times and his fines amounting to £1700 were granted to Humphrey Rogers, the king's servant.

¹ Edward Bish, feodary for Surrey, asks in 1637 a pardon for all matters done as such Feodary.—Lord Cottington recommends his compounding, and it was noticed that since the example of Goodhand, divers feodaries seek pardon. S.P.O.

² Henry Hopkins, warden of the Fleet. See Burn's History of the Fleet, 1834, 2nd edit. p. 44.

The Atty. Genl. *v* Richd. Foley, for wasting within the last nine years 200,000 loads of wood made of timber trees, in his iron works—computing that the other iron works in England, about 300, do according to that proportion they spend yearly about 300,000 loads of wood. To prevent this destruction, the Atty. General prosecuted this cause with such expedition that it was ready for hearing, that by the sentence, the ironmasters might be deterred from the like destruction.¹

The charge against the deft. was, that he had engrossed 19 iron furnaces and forges in various parts of Staffordshire, Shropshire, and Warwickshire, and had cut down for the use of his ironworks, large numbers of timber trees within certain districts, destroying the growth of timber and raising the prices of iron, wood, and coal. The defence was that Foley had not built new forges, but merely hired those which were already in existence, and that it was no crime to convert wood into coal to make iron with, iron being as useful to the kingdom as wood, and that his works give employment to large numbers of people.² Lord Cottington and Abp Laud voted for a fine of £2000, the Lord Treasurer imposed £1000.

1635.

The Churchwardens of Merton. Surrey, complain of Thos. Hunt and Joyce his wife, for a forcible entry into a small piece of land belonging to the Church. The difference was to be heard *in the Inner Star Chamber*.

May. Cæsar de Haze was questioned for transporting gold and silver, and became bound, with Thos. Talbott and Agmondesham Pickayes, in £300 to appear in this Court. He went abroad, and the bond was ordered to be estreated. (S.P.O.)

¹ S.P.O. 1635—1636.

² S.P.O. See Windebank's Notes.

Isaac LeGay petitions the Court as a soap boiler.—Peter Fountaine sued for exporting gold.—The Sheriff of Northampton is commanded to appear in this Court as to Shipmoney.—Sir John Corbett is bound in £2000 to appear.—Sir Robt. Payne, churchwarden of Barton Stacey, sues in this Court respecting a consecrated Chapel at Newton Stacey.

Henry Lamb, his Majesty's servant *v* Sir Roger North and Thos. Steward, for opposing the cleaning of a river from Bury St. Edmunds, to the ancient river Ouse, because it would be a prejudice to a mill of Sir Roger's.¹

In 1635 a grant was made to Capt. Robt. Marbury, one of the King's gentlemen ushers, quarter's waiters, of a fine of £500 imposed on Sir Nichs. Pointz, deceased, and of £200 imposed on his son in the 11th year of King James. S.P.O.

Sir Wm. Faunt was fined £5000 for writing a libel whereby the King's service was prejudiced. [The Earl of Huntingdon petitioned for a grant of this fine.]

Henry, Earl of Marlborough *v* Thos. Bennett.—Richard Chaffins *v* Robt. Hyde.—Thos. Blundell and Ann his wife *v* Wm. Buckland, *alias* Hutchins and others.

On the 17th of June, 1635, Lord Coventry, the lord keeper, delivered, in the Star Chamber, his charge to the Judges of Assize previously to their going the Circuits.

✓ In 1635 a case occurred which occupied the Court several days. It arose out of a debt of £10,000 due by King James to Sir Anthony Pell, the surveyor and keeper of his late Majesty's Hawks. For this money Pell had an order in Council, and King Charles referred the payment to Sir Rd. Weston, the lord treasurer. *Sir James Bagg*, one of the defendants, met Pell at the lord treasurer's, told him he

¹ In 1593 there was a suit in this Court by Sir Wm. Roe, knight, late Lord Mayor, the Recorder, and divers bargemen, against Wm. Thorowgood and others, for riotous stopping up the passage of barges in the river Lee. It was referred to the two Lord Chief Justices who reported to this Court, *inter alia*, that in the time of Henry IV. there past up the river, a boat of 12 tun, and it was decreed that the bargemen might go on the bank to tow, and that if the landowners were aggrieved, they might try the case in K.B. or C.P. S.P.O. 1592.

would never get his money, without giving money to the lord treasurer, that he (Bagg) had laid many a thousand on his table and under his bed head. Bagg thus obtained more than £3000 of Pell, on the pretence that it was paid to the lord treasurer. On the 10th Nov., the case lasted from 9 to 4 o'clock, the Queen being present in a room that had a window looking into the Court and it was rumoured by the auditors in the Court that she came in favour of Sir Jas. Bagg, and that the speeches were rather *pro amico* than *pro Quer. aut Deff.* The Court were equally divided 9 and 9. What the result was, is unknown, for the King sent a warrant under his hand to Mr. Arthur the registrar, "*to forbear entering the censure of the Court.*" (Rush. II. 302.)¹

Geo. West *v* John Stocker and others for plots and practices.

A suit *ore tenus v* Wm. Pocock who was to counterfeit himself to be a messenger of the Star Chamber, and so to arrest Sir Wm. Courteen. Yates, who suggested the plot, was to share the money. Fined £1000 with pillory at Westminster and Cheapside, and to lose an ear at each place.

At the same Court, Elmstone was tried for counterfeiting the Earl of Dorset's hand for erecting buildings, for which he was sentenced to imprisonment and pillory. Finch added "and ears."

Seven London merchants were fined; Francke and Ellis £4000 each; Isaac Romer £3000; John Perrott, £2000; Rd. Cockeram, Jacob de Leau, and Roger Fletcher £1000 each.²

¹ Lord Mohun was perhaps connected with this suit, certainly with one commenced by Sir Jas Bagg against him and Thos. Addams, "for undue enquiries into His Majestys and plaintiff's debts without warrant" and they were fined £500 and £200 respectively." The King also ordered Lord Mohun's son to be sued in this court "for drawing his sword on Ludgate Hill and hurting Lord Lumley, who sat quietly in his coach." S.P.O. 1637.

² Laud moved that four should be fined £6000 each! Romer £4000 and De Leau and Fletcher £2000 each.

In February following there was a petition to the King from these distressed merchants, prisoners, and families, who were committed to prison, their howsen seized, their goods extended and sold, their debts researched and stayed, and their wives and children frightened. S.P.O.

Capt. Henry Bell writes to the King that he was employed by King James in 1615 to the Elector of Brandenburg, about the plot against the Princess Elizabeth, who was to be inveigled by letter to Ratisbon, and there made away with. He says he had the letter, but is now accused of deceit, and arrested and sued in the Star Chamber.

14 Feby. The Court made a decree about "Inmates and divided tenements." It recites the former decree (20 Oct., 40 Eliz.)¹ that if landlords divided their tenements and let them out in rooms to poor and impotent persons, such persons might have them for their lives free of rent, and after death or removal such divided tenements should be pulled down. This decree was confirmed in the 7th James, and now (1634) again confirmed on account of the plague.² S.P.O.

1636. *John Ray*, of London, merchant, was accused of having sent out of the kingdom 46 loads of fuller's earth from Rochester to Holland. Deft. says, he bought it of Rd. Rods, of Maidstone, and sold it at the rate of 4 gilders to a man of Leyden. He was committed to the Fleet, fined £2000, and to be set in the pillory. (Rush. II. 349.)

1635. *Henry Fluter*, *Henry Sweeting*, and ten others, for transporting gold and silver out of the kingdom, culling out the weightiest money and melting down coin, &c., &c. It was sent by the foot-post to Dover, and thence forwarded to Calais. Seven of the defendants were sent to the Fleet, three fined £2000; one £1000; two £500; and one £100. (Rush. II. 350.)

¹ 40 Eliz. Atty. Genl. v Rice Griffith and John Scrips, who, contrary to the proclamation of the 7 July, 22 Eliz., had built tenements, and divided them into several rooms wherein divers poor tenants dwelt, that were maintained by the parish, and begged abroad in other places.

² This decree contained most stringent clauses, for these buildings so increased "and such numbers of poor dissolute persons were there harboured that in many parishes more families live by begging and by the alms of the parish, than live by their own means." It was therefore ordered that these houses, if not restored to their former state, were to be pulled down, and the owners were to repay the parish for such sums as had been expended in relief to the occupiers. Brit. Mus. 517, k. 3.

A subsequent decree, Feb. 14, 1637, declared that when persons had obtained pardons, they should be void if they allowed more than one family in a house.

On the 14th of Feb. 1636. The lord keeper delivered, in the Star Chamber, his charge to the Judges, and ordered the clerk in Court to read the opinion of the twelve judges on the subject of *Ship-money*. (352.) ✓

1635. The Lords of the Council issued an order by the King's command, addressed to the lord mayor and aldermen of the City, directing them to bring the goldsmiths who were living dispersedly in the City, to seat themselves in Cheapside and Lombard Street, and that all other tradesmen should give place to them! The City authorities¹ shewed great reluctance in enforcing this arbitrary measure, so on the 7th July 1637, the matter was taken up by the Star Chamber, and an order made greatly blaming the lord mayor and aldermen and directing that if the alderman of the Ward or his deputy did not cause every shop, not a goldsmith's, to be shut up, he should be committed to prison by a Star Chamber warrant. Rush. II. 412.

Proceedings were taken against Lord Digby and Wm. Crofts in 1636, but the King stayed the proceedings.

The Bp. of *Lincoln* and Lambert *Oshaldeston* of the Westminster Grammar School were charged with divulging false news to breed a disturbance between the treasurer Weston and the Abp. of Canterbury. The charge was founded on some private letters to the bishop. Sentence—Mr. Oshaldeston £5000 to the King and £5000 to the Abp. of Canterbury. To be deprived, to stand in the pillory in Dean's yard before his school and his ear nailed to the pillory. The Bishop £5000 to the King, £3000 to the Abp., to be imprisoned

¹ With reference to the wrestling place mentioned, ante p. 46, Stow says that the City authorities, placed in a large seat near unto Clerkenwell, spent divers days in the pastime of wrestling, where the sheriffs serjeants, and yeomen, the porters of the King's beam or weigh-house and other of the City, were challengers of all men in the suburbs, to wrestle for games appointed.—With reference to the custom of London, mentioned at p 99, it appears that "a priest found in company with a married woman, she and her paramour were taken to one of the compters and thence to Guildhall. On being pronounced, they were conducted to Newgate where their heads were shaved like that of a thief. They were then led with music through Cheap, and finally shut up in the Tun, there to remain at the discretion of the mayor and aldermen. A similar punishment was inflicted where the married woman's paramour was a layman, if a married man." *Liber Albus*.

and make submission. Rush. II. 817. [Osbaldeston was in court amongst the crowd, and knowing that if the warden espied him, he might command the tipstaff to apprehend him, he slipt out of court, went to the school and burnt some papers and concealed himself in Drury Lane till 1640.]

In 1637 occurred the great case of the Bishop of Lincoln and others, *for tampering with the King's witnesses*, and which occupied nine days of debate, "and great was the concourse of people every day to the court of Star Chamber to hear this great cause, the Bishop being at that time much pitied by the people, who then cast out speeches that he was prosecuted because the state wanted money to go to war against the Scots, and it was fit he should bleed in his purse by the censure of the court of Star Chamber to pay a round fine to the King of 10 or £12,000, and that 'twas visible the Bishop was to be sacrificed to the envy, jealousy, malice, and ingratitude of Laud, who, in defiance of the public hatred, continued daily to increase and provoke it."¹ (Oldmixon 132.) [This cause arose out of a previous suit in this court against the Bishop for revealing counsels of state contrary to his oath as a Privy Councillor, and the Bishop produced one John Prigeon, gent., as a witness; the Atty. Genl. sought² to discredit this witness by shewing that he had tried to persuade one Elizabeth Hodgson to swear a child to some other father than Prigeon, and the Bishop was said to have tampered with the witnesses.] Lord Cottington at length fined Powell and Owen £200; Walker Catlin and Lunn

¹ In the Harleian, MSS. 4931, p. 27 is a Song called "The Bishop's Bridle, will you buy" the tenth verse runs thus,—

But now brave England be thou bent
To banish all that brood
And make your *Lambeth lad* repent
That never yet did good,
But shamefully hath sought the blood
Of sakeless sons of God—
Relieve your *Lincoln* better lov'd
And set him safe abroad.

² No doubt Kilvert was the getter up of this false evidence as the creature of Sir John Lamb. See the High Commission, pp. 40, 41, 42.

£300; the Bishop £10,000, to be sent to the Tower,¹ suspended *ab officio et beneficio*, handed over to the High Commission,² and to pay 1000 marks to Sir John Mounson. Rush. II. 430.

1637. John Lilburne and John Warton were accused in the Star Chamber of unlawfully printing and publishing libellous and seditious books intituled "*News from Ipswich*." They refused the oath *ex officio*, and were sent to prison. On the 13th of Feb., (four days afterwards), they were brought to the court and still refusing the oath, the court remanded them to the Fleet, and fined them £500 each. Lilburne to be whipt through the streets from the Fleet to the pillory (between Westminster Hall gate and the Star Chamber) where Warton was also to be put. At the pillory he spoke against the Bishops, &c., and scattered copies of pamphlets, whereupon the Star Chamber (which was then sitting) ordered him to be gagged, which was done. This was followed by an order of the Star Chamber, dated 8 April

¹ The Bishop, who had held the seals before two Kings, wrestled through his difficulties, and years of imprisonment, and was eventually called to sit in the House of Peers and restored to his ecclesiastical dignities. Two of his judges, Finch and Windebank fled for their lives, two or three years after, or they would doubtless have been examples of national justice. (Oldmixon.)—Finch's flight is thus noticed in "*The Universal Scourge*," Feb. 1640.

Oh yes? who hath dropt a purse and a seal?
But that I am honest, I would not reveal;
I guess whose it is—being found near the Burse,
To pay his *ship-money* he misseth his purse.
He had been put in a cage, if he had staid
'Twas time to fly when the lime twigs were laid.
Change is no robbery, it was but a trick
He took the counterfeit—gave us the slip
He needed no other disguise, but his pride
When he knew not himself could he be descried?

² Declaration of Star Chamber, 18 August 1637. Reciting that in some libellous books lately published, the Abps and Bps are said to have usurped royal authority and to have proceeded in the High Commission and other ecclesiastical courts contrary to the laws. It was therefore ordered by the Star Chamber that the opinion of the judges should be taken, who did unanimously agree that processes might issue out of the ecclesiastical courts; that a patent under the great seal was not necessary for suspensions and other censures of the Church, and that the stat of 1 Ed. VI. cap. 2, which enacted the contrary is not now in force. The Star Chamber ordered that this opinion should be enrolled in the High Commission for the satisfaction of all men that the proceedings of the High Commission are agreeable to law.

that Lilburne should be laid alone with irons on his hands and legs, &c., &c. He remained in prison till 1640.¹ Rush. II. 468. When the court called upon Lilburne to take an oath to answer interrogatories, he refused and said it was the oath *ex officio*, and that no free born Englishman ought to take it, not being bound by the law to accuse himself; whence he was called ever after "Free-born John." (Rushworth.)² In 1649 he was tried at Guildhall for a seditious book, and by his courage, tenacity, and logical skill eventually beat the twelve judges and council of State, (omitted chapters of the History of England by Andrew Basset, 1864.)

Hudibras, has,

To match this saint. there was another
As busy and perverse a brother
An Haberdasher of small wares
In politics and state affairs; &c.

Judge Jenkins said of him that if the world were emptied of all but himself, Lilburne would quarrel with John, and John with Lilburne. This gave rise at his death to the following—

Is John departed? and is Lilburne gone,
Farewell to both, to Lilburne and to John,
Yet, being dead, take this advice from me,
Let them not both in one grave buried be,
Lay John here, and Lilburne thereabout,
For if they both should meet, they would fall out.

He died a Quaker, 28 Aug. 1657.

1639; The Atty. Genl., by relation of the *Lord Deputy* of Ireland *v* Lord Mountnorris, Sir Pierce Crosby, and others. Charged with raising scandalls that the lord deputy was guilty of the death of Robt. Esmond.³ Sir Pierce Crosby

¹ In 1640, when the Commons impeached his Judges of the Star Chamber, it was said that by imprisonment he was made a *Trunk*—by whipping a *Rogue*—by pillory a *Cheat*—and by gagging a *Beast*. It was ordered that the sentence and all the proceedings should be obliterated as unfit to continue on record.

² State Trials.

³ Lord Goring writes to Lord Conway, "Sir Pierce Crosby is like to have a shrewd tug in the Star Chamber for suborning a man to corrupt a woman to come over to accuse the deputy for killing her husband." S.P.O.

fined £4000 and to give satisfaction to the lord deputy. Lord Esmond £3000, Marcus Chevers £1000; all the defendants £5000 to the lord deputy. (Rush. III. 888.)

1639. *Walter Belcanqual*, dean of Durham, complained of *George Grey* and *Anthony Smith*, tenants of the dean and chapter, for getting divers persons to sign a petition against their landlord, without first stating their grievances. Laud recommended *very* severe measures,¹ and the Court sent them to prison until they produced the names of the subscribers. They remained several weeks in prison, but on the meeting of Parliament, the court released them. Rush. III. 1052.

In this year was the great Star Chamber case against the lord mayor and commonalty of London, and the governor and assistants of the new plantations of *Ulster*. The court sat for seventeen days *de die in diem*, but Rushworth being then in the north he could not give any report of the proceedings. p. 1052. It appears that the King demanded of the City £110,000. The City offered £100,000 which was refused, and it was determined that £10,000 should be paid at the end of a year and £100,000 in five years. (Laud advocated this heavy fine.² This is probably the case in which this court declared the purchase of the large plantation in Ireland to be void and forfeited to the crown. The Commons however voted the proceedings to be an usurpation, as well as a pure act of injustice, and resolved that the city should be restored to the property. Rush. IV. p. 379. Brodie, vol. 3.

¹ Laud's career was near its close. In October 1640 his High Commission court was sitting at St. Paul's when a mob made a tumult, tore down all the benches in the Consistory, and cried out that they would have no bishop or High Commission. (Laud's Diary.)

"His inquisition was skared in St. Paul's,
By a ragged regiment of mad soules
They would have devoured a *Duck* and a *Lamb*,
Their stomachs were such but they mis'd the Ramm.
The sacred synod is in a quondary
Their *Canons* recoil, their Founders miscarry,
They must be new cast, and I heard one say,
Up Holborn, the way to *et cetera*."

"Up Holborn" and "et cetera" refer to Tyburn—*et cetera* also refers to Laud's famous oath alluded to at p. 58 of "the High Commission." The clergy were to swear never to consent to any alteration in the government of the Church by "archbishop, bishops, deans, archdeacons, &c."

² The King gave the Queen £10,000 to be paid out of the first money received from the fine.

Easter Term, 15 Car. I. Parker *v* Robt. Butcher and others for procuring Mary, the daughter and coheir of George Parker and Alice his wife to levy a fine in her minority.¹

Robert Craven, gent. *v* Hamon le Strange, Dame Alice, his wife, and others, for altering a copy of a court roll of the Manor of Hesham. All acquitted.¹

The Atty. Genl. *v* Robt. Ryther, Esq. and others. For a rescue from the sheriff. Eleanor Ryther was fined £1000. and several sent to prison and fined £200.¹

In the Tanner MSS, (No 300) in the Bodleian Library, is a 4to MS of 18 pages, intituled "A short view of criminal causes punishable and heretofore punished in the Court of Star Chamber² in the times of Queen Elizabeth, King James, and his late majesty King Charles."

The causes are divided into heads, such as forgery, deceit, &c, and then is added a list of "misdemeanours not reducible to heads" amongst these are—

Pinning a paper in one's hat in the church in service time.

Singing catches in a house when others are singing psalms.

Breaking the stocks in pieces.

Taking up a gentleman's son to be a stage player.

Gagging of women in Fleet Street.

Sheriff writing to his undersheriff to get a partial jury.

A base fellow going to church in brave clothes, (and he that lent them was punished also.)

Wearing of pistols.

¹ These three cases are noticed in the MS, 394 in the Ashmolean Collection at the Bodleian, which also has the Hungate case, ante p. 78.

² The difference between the Star Chamber as a mere hall, and the Star Chamber as a court of justice, has already been noticed at pages 26, 28, and 29. Long after the abolition of the *court*, letters were dated from the "Star Chamber," and in 1665, Wm. Packer, of Groombridge in Kent, was appointed "Keeper of the Star Chamber."

Forcing one to take an oath on the hilt of a sword.

Blotting out the date of a deed with the snuff of a candle.

(Stabbing of a serjeant at law going to Westminster Hall. ¹)

The Harleian MS, No. 1200, gives also a list of "causes here examined, not otherwise punishable."

The attempt of two brothers who were whipped and gapped in Fleet Street in 44 Eliz.

The embezzling of evidence by flight or of covin, punished in Radcliffe's case.

Homagers in a court-leet who refused to make presentments, punished severely. 4 Eliz.

Earl of Arundel and the Lord Lumley, where one of the homagers brought in a blank paper, and said that was their verdict. Adjudged to wear papers at every court-leet for seven years.

APPENDIX.

Hen. VIII. The unfinished Index at the Rolls, referring to suits in this reign, has a great number for "Acts of violence," forcible entry, &c.; the following are also noticeable.

Anysley Eleanor *v* Sir Roger Grey, Lionel Grey, Clement Muschaunce, and others, for murder of plt's husband, Captain of the *Norham Castle*, taken prisoner by the Scots, and was killed by defts. when returning home after ransom.

Arundel Lord *v* Appewell Meredith, for giving up the castle of Oswestry to certain outlaws and rebels.

St. Asaph, Bp. of, and Geoffrey, Abbot of Conway *v* Sir Robt. ap Gryffyths ap Lloyde peres Meredith Richd. ap,—for indicting plts. for assessing upon clergy in the diocese of St. Asaph quotas of subsidy granted in convocation.

¹ Also personating the Earl of Leicester in a play was severely punished. *Lans*, M.S. 232

Atty. Genl. *v* Wm. Payne and others, jurors, for refusing to find a proper verdict in their inquest upon a youth drowned in the Thames near Laleham.

Axminster, inhabitants of *v* Phillip Robt. Gammon and John Matthew, for heretical doctrines held by the first deft., who had said "the sacrament of the altar was not the very body of Christ:"—"the blessing of a bishop was as good as that of an old horse."

Baker, Wm., of Bury St. Edmunds *v* Law^{re} Lynge and others, jurors, for recovering of £35 money lent to the first deft. and punishment of jury for giving unjust verdict against the claim.

Barker, Rd. *v* Lambe, Wm. and others, jurors, for giving verdict against evidence that the plt. was "yeoman, and not gentleman."

Barnes, Harry and Jane his wife *v* Harry Redyng, town clerk of Hastings, for wilfully taking away and marrying Mary Trotter who was under 12 years of age.

Baldok, Wm., a brother of the Hospital of St. Bartholomew next Sandwich *v* Henry Bell, late mayor of Sandwich, for illegally taking fees for admission to the Hospital—imprisonment and other injuries.

Barton, Sir Wm. *v* Robt. Nicholls and others—assault, imprisonment and annoyances while performing duty as chantry priest, at St. Olaves, Old Jewry. 32 H. 8.

Wardens of Frome Selwood *v* Thos. Wynsmore, of Bristol, for purchase and resale of plate supposed to have belonged to the Church.

Inhabitants of Old Braynford *v* John Hale, as to right to ferry across the Thames at Kew.

Bristol, Mayor and Burgesses *v* Sir Wm. Weston, prior of St. John of Jerusalem, Sir Edw. Hussey, knight and commander of Temple Clowde—Claim of sanctuary, office of clerk of the market and other privileges in Temple Street.

Atty. Genl. *v* Sir Matt. Brown, "for impeding the good rule and execution of justice in the county of Surrey." (There are several charges against others in the same words.)

Browne Ralph, wife and daughter *v* Philip Recures and others, for a wrongful accusation of stealing a gold chain from a room at the "Maydenhede" Norwich.

Byrkbeche and wife *v* Eden Scales and others, scholars of Cambridge—assault and outrage, claiming female plt. to ring on market hill in the night.

Burgess, Wm. and wife *v* Sir Robt. Brandon, Anthony Whytefield, Henry Moore and others, for breaking into plt.'s house at Swafeld, Norfolk, and taking away their daughter and keeping her in restraint to compel her to marry Moore.

Bungay Inhabitants *v* Rd. Warton, bailiff, and others, for throwing down and injuring certain pageants carried in procession on Corpus Christi day.

Burrowe, James, yeoman of the guard *v* Robt. Withfield and Henry Holme, sheriffs of the city of York, for permitting the escape of Robt. Smith, who accompanying plt's sister in a journey from York to London, had murdered her at Stamford Hill, Mx., returned to York and robbed her house.

Callwoodley John *v* Thos. Trevetham and others, for assault when going in procession of the holy cross in Padstow Cornwall, on New Year's day.

Carampton, bailiff and inhabitants *v* inhabitants of Treborow and Luckysborow, for refusing to assist in keeping the watch upon the sea coast, which they had been accustomed to do.

Carre, Rd. *v* Thomas Bateman, for assault and preventing his burning a candle upon the pommel of his stool when worshipping in the church of Flixton, Suffolk.

Carvanyon, Wm. *v* Sir James Jencyll, for allowing certain colleges and chambers in Cornwall to fall into decay—occupying them to his own use, and indulging in hawking and other sports instead of attending to spiritual things.

— *v* — depositions of Sir Robt. Constable, respecting the alledged private marriage of a Nun.—24th.

Coke, Robt. *v* John Balenger—Robbery of the contents of a pack, and consultation with astronomers thereon.

Crane, Robt. *v* Anthy. Hevenyngham—Acts of violence to obtain the body of John Methold, whose wardship and marriage, plaintiff had purchased, and abduction of said John.

Darnell Judith *v* John Thymbleby, wife, and others. Taking away evidences, goods and chattels from plt.'s house in Wood St., London, having inveigled her into the country on pretence of taking her on a pilgrimage.¹

Ordsall inhabitants *v* Sir Robert Nevill and Sir Edmund Webster, clerk—Refusing to administer the sacrament without first receiving "Peter pence" in opposition to statute made in 25th year.

The wife of Thos. Dixson *v* Sir John Stanley and others. Acts of violence to compel plt. to pay a mortuary on her husband's death.

The Prior of the Monastery of the Holy Trinity, Eston, Wilts. *v* Sir John Seymer and others.—Forcibly carrying plt. out of the monastery and entering into occupation of all its lands, &c., and putting the canons into the stocks.

Thos. Fenymere *v* John Walter, for the murder of Sir Wm. Heywarde, late parson of Burgeyts, Suffolk.

Sir Anthy. Fitzherbert, knt., one of the judges *v* Humphrey Wells and others.—Assault with intent to murder, preventing plt. going on circuit, arising out of a disputed devise of the manor of Norbury, Derby, by plt.'s father.

Wm. Froste *v* Sir Wm. Morgan—Maintaining certain thieves and outlaws who commit grievous offences in the neighbourhood of Newport, S. Wales, imprisoning inhabitants until ransomed.

John Goodale *v* Henry Genyngs and Wm. Mantyll, for disregard of His Majesty's proclamations for performance of the rites and ceremonies of the church;—defendants being curate and priest at St. Arty's, Salisbury.

Grymalds, John Capte de² *v* Husey, Wm.—Procuring an unjust verdict, charging plaintiff with robbery, &c., so that he is obliged to continue in the Sanctuary at Westminster.

¹ Perhaps to the rood of grace at Boxley, a'Becket's Shrine at Canterbury, or some more accessible locality.

² No doubt John Baptist Grimald mentioned at pp. 31, 32.

THE IRISH STAR CHAMBER.

In a report of the Earl of Sussex, lieutenant of Ireland, to Queen Elizabeth, he recommends the establishment of a Star Chamber there, which no doubt took place, for in 1575 among the items of the Queen's service in Ireland, is "Star Chamber £20." In 1578 the Baron of Delvin and others were fined in that court for objecting to the imposing of cesse. And in 1580 there were instructions for the Earl of Leicester, as to the riot at Galway, that such a fine should be laid upon the rioters, in the Star Chamber, as should build a citadel to command the town. Carew Papers.¹

RICHARD KILVERT.

The particulars of this individual were found too lengthy for a note—they are therefore introduced here, and justify Lord Andover's notice of this notorious officer of the High Commission and Star Chamber.

In Oldmixon's account of the persecution of Bishop Williams, he says, "Laud procured another prosecutor, one Rd. Kilvert, so profligate a villain that the archdeacon is ashamed to name him."² Dr. Fuller writes "he would do what an honest man would be ashamed of and like a mastiff dog fiercely fly upon any person for profit—he was seconded in this suit, and abetted by the Court, who supported him with money. Kilvert bribed one Warren, an examiner in the Star Chamber, (contrary to Warren's oath) to reveal that the bishop's cause depended on the testimony of John Pregson, registrar of Lincoln and Leicester, whereupon Kilvert suborned witnesses to swear bastardy against Pregson. Oldmixon, 132.³

¹ The Carew Papers have thus answered the quere, ante p. 56.

² The news letter of C. Rossingham in 1637 notices a declaration by Laud "of his unacquaintance with Kilvert, the solicitor against the bishop."

³ In the State Paper Office is a letter in 1635 from Kilvert to Sir John Lambe about Pregson; also an "information" by Kilvert that a Captain Chedle on behalf of the bishop had endeavoured to bribe him by a magistraship of £200 a year to favour the bishop.

The Bishop however contended that Kilvert should answer the bill, charging him with perjury, subornation of perjury, denying his own hand-writing, and living ("and under my lord's grace his nose") with one Mistres Bines, his whore," before he should be believed against a meaner person, much less against a bishop of the Church of England. S.P.O. vol. 632, No. 113.

Kilvert, in Aug. 1637, obtained a warrant for £1500 (out of the first monies of the £10,000 fine, set on the bishop) in consideration of his pains and expences in prosecuting the suit.

Richard Kilvert was one of the proctors of London. On the 9th June, 1621, articles were filed against him by the commissioners for causes ecclesiastical. On this occasion there were twelve charges. One was obtaining £50 from Joyce Byan, who had been sentenced to penance for marrying her late husband's nephew, Kilvert giving her a fictitious order of absolution. Another charge was obtaining £15 from Nycasius Russell, a member of the Dutch Church, on an allegation of adultery, which Kilvert urged, would, whether true or false, injure him with the Dutch Church. (Tanner's MSS, No. 73—1. Bodleian.)

He is probably the Kilvert who, in 1633, sued a person named Hanger for a libel, arising out of an arbitration, and for calling Kilvert a briber, a judas, and a viper. This court fined the defendant £500 and gave Kilvert £500 damages.

In 1637 there was a suit in the High Commission Court against Sir John Thornhill, who wrote to Laud that "Kilvert who was the real promoter," had been trying to gain time, but Sir John prayed that Kilvert might prove his "informations." Sir John denies that Kilvert had asked for anything for St. Paul's, but demanded £200 and then fell to £50 for his own pains, which Sir John refused. (S.P.O., 7 Nov. 1637.)²

Kilvert then prosecuted a suit against Sir John Strangways, Sir Lewis Dives, and Sir Edwd. Stradling, for "transporting gold," charging them with £200,000. (S.P.O. 1637.)

While the prosecution of Bp. Williams was going on, Kilvert had too much on his hands to attend to the wine duties, but in April 1636 he made his boast that when the bishop's business was concluded, he would immediately set

¹ Fuller's Church Hist. B. xi. cent. 17, and Hackett's Life of Abp. Williams.

² In 1637, Isaac Pennington wrote to Sir John Pennington, "This I can report for a truth, for thereof I am both an eye and an ear witness—the proceedings in the Star Chamber cause much defection amongst many good and loyal subjects, and make many fly, and many more think of providing for their safety in other places."

himself to prosecute the vintners of London upon the decree of the Star Chamber.¹ This decree was in 1632, and imposed £4 a tun, and restrained taverners from selling victuals—they then paid the Crown £6000 and had a remission from that part of the decree. They were unmolested for a few years, when this Kilvert, in conjunction with his brother Roger Kilvert² (a vintner) and Alderman Abel, master of the vintners, renewed the subject, and many of the vintners were molested for infringement of the decree.

Many pamphlets were written on the occasion, some of them with ludicrous pictures of Kilvert and Abel. One of them intitled "the vintners answer to some scandalous pamphlets," with a notice of "Kilvert's wretched and lewd conversation" has the following notice of him.—"Whilst the High Commission tyrannized, there was no fitter blood-hound than Kilvert, to be officious in that court, yet even in that court he was found too corrupt, too libellous, too treacherous—many articles were exhibited against him and at last he was rejected as a person infamous and scandalous to ecclesiastical jurisdiction. His next scene that he entered upon was the Star Chamber, and for a good season he played there the part of a rare artist, and having given admirable proof to the world of his exquisite skill in producing deponents and managing of oaths, he left it at last uncertain, whether that court contributed more to his preferment, or he to that court's ruin—but the wonder of all is, that he dares yet appear in Parliament with any confidence, or in a time of Reformation." 1642.

¹ Roger Kilvert had £1000 from the vintners, and £500 a year for 8 years out of the King's rent of £30,000. "A true discovery of the projectors of the wine project," 1641.

² It is probable that Kilvert was concerned with the soap monopoly which created great contention—the public disliked the soap, and the old soapmakers offered the king double the amount paid by the patentees,—Laud was tempted by the offer, but was opposed by Lord Cottington. The Earl Marshal joined Cottington, and Laud did not doubt that he was bribed—the greatest blow however to Laud was the defection of *Windebank*, his "ancient friend,"—living at his place in Berkshire, Laud had procured his appointment as a secretary of State—that he "should forsake me, and join with the Lord Cottington," wounded Laud deeply. Laud's Works. Mr. Bruce's Preface to Domestic Series, 1635—1636.

" In another pamphlet is a dialogue between Kilvert and Alderman Abel and his wife, 1643.

"Kilvert—I do use no calling, for money comes unto me without calling, or even bawling for. I tell you I study the seven liberal arts and am well verst in them all, but especially in logic and arithmetic. I have these *ad unguem*. I have now got so much craft that I excel in suing. The very name of *Kilvert* makes men compound with my client, if they do but hear I have a finger in it." ¹

Kilvert and Abel appear to have made some applications to Parliament about the wine duties, claiming to have added £200,000 to the revenue by their means. However it seems the *Parliament* ² sent them to prison, for in "a copy of a letter sent from "the roaring boys in Elizium to the two arrant knights of the grape, in *Limbo*, Alderman Abel and Mr. Kilvert the two great projectors for wine," the verses end thus—

"And so we bid farewell, and see you do
Make much of justice, she'll make much of you."

¹ In the History of the High Commission, p. 61 is a notice of a fine of £1000 with penance, imposed on a wild young gentleman named South, of Kelstern. This sentence was mitigated to 200 marks, and £133 6s. 8d. was accordingly paid to Mottershed, the receiver of the court. But there has lately been discovered at the State Paper Office a receipt of this Kilvert (described of St. Martin's in the Fields) for "£100 received of John South, of Kelsterne co. Linc, being part of £200 which Kilvert was to have for passing a pardon to South under the great seal. South was also to pay Sir John Lambe £2000 on account of the pardon, and to Kilvert £100 over and above the sum now received." It seems therefore that the notorious Sir John Lambe and Kilvert compromised the fine and penance for £2200 for themselves and only 200 marks for the Star Chamber!

² "The universal scourge of the times," 1640, has the following doggrel lines.

"The Parliament needs not—the desperate elves
(’Tis thought) will be thrifty and hang themselves.
Kilvert and Abel petitioned of late
That they might make *buttons* for the whole state.
Another project I thought they had done,
Belike they are weary of two pounds in the tunne,
Were *their* hogsheads pierc’d, we should have wine
At 6 a quart again—that were fine."

FURTHER NOTES ON "THE HIGH COMMISSION."

Since the publication of my notices of the High Commission,¹ some further particulars of that court have been met with. The court worked together so intimately with the Star Chamber that the present seems a suitable opportunity for recording the following additional notes.

P. 70.—1641—1686. The Scotch Parliament having gone the length of asserting the divine indefeasible and hereditary right of Charles II, and Abp. Sharp having besought the King for further powers, a High Commission dated 6th Jan. 1664 was issued for *Scotland* directed to many of the noblemen, bishops, and others of that nation. It nominated Thomas Young to be clerk to the commission, with power to appoint other officers. The fines were to be collected by Alex. Keith, the under-clerk to the council, one half to be applied to the expences of the commission, and the other half to pious uses according to His Majesty's appointment. The commission was to endure till the 1st of Nov., 1664, and after, until discharged by His Majesty.

P. 15. A paper of 1589 in the State Paper Office, vol. 228, gives the following particulars of Elizabeth's High Commissions.

"The names of the commissioner's ecclesiastical, anno, xxvj^o dne nra Regnie who co'tynuyd by that commission until anno xxxj and then renewed.

(Then follow 44 names.)

"I have no copie of this comission. The originals of all comissions ever remained at Lambeth. The copie that I had, was delivered by commandment to my L. Chief Baron, to consider of docking a fine certified into the exchequer by the comrs, which was then traversed but I could never get the copie againe.

Anno p'mo.

Anno quarto.

Ano xij^o when Mr. D. Sandys was removed from Worcester to London.

Ano xiiij^o.

A° xviii° when Mr. D. Grindall, the abp. of York was removed to Cant.

A° xxvj° when Mr. D. Whitgift was removed from Worcester to Cant.

A° xxxj now in (ex).

From Anno xviii° I am sure y^t was not renewed otherwise than here is mencioned, but I think y^t was before in Mr. D. P'ker's time being archb. of Cant. oftener than is before for Devon."

P. 12, *Robert Beale, M.P.* He married a sister of Sir Francis Walsingham's wife, and in 1571, was secretary to Sir Francis; he was also secretary for the Northern Parts and clerk of the Privy Council. He was a great favourer of the puritans and wrote in defence of their principles. He wrote also *Rerum Hispaniorum Scriptores*—Francfort, 1579, 2 vols. fo. He was often employed on missions to the protestant princes of Germany, and was at the execution of the Queen of Scots, and read the warrant. (Chalmers.) He was buried at All Hallows', London Wall.

P. 16, *James Morice, M.P.* A copy of his Treatise is in the Bodleian Library, but it has no author's or printer's name, nor place or date of publication. Another copy is in the British Museum, (517 c. 30.) In the Cotton Library (Cleopatra F. I, p. 1) is a tract by Morice, entituled "a collection shewing what Jurisdiction¹ the clergie hathe heretofore lawfully used and may lawfully use in the realme of England." A MS copy of his "Treatise of Oathes" made by Alex. Cooke, vicar of Leeds, is in Harl. MS, 5247.

P. 26. It appears by the Book of Proceedings, now at the State Paper Office, that there was occasionally a "Reference to Commissioners at Informations." Perhaps these were

¹ In 1637 the Star Chamber issued a proclamation on the power of the High Commission. This was no doubt solicited by Laud, and it states that "in some libellous books lately published, the bishops are said to have usurped upon His Majesty's prerogative." S.P.O.

commissioners who were Doctors of the Civil Law, and were deputed to consider and report upon the informations and complaints laid before the Court.¹

P. 29, Note. Fuller's Church History has the arguments for and against the oath *ex officio*, sub anno 1587.

P. 38. Ezekiel Gosse, of Cambourn, co Cornwall. He was 162(4) summoned for saying that the King and the Prince were both rank papists, if it were not so, then why should the king send the prince over into Spain with the Archpapist of England, the Duke of Buckingham?

P. 42. The messengers of the Court. When Laud was on his trial several of these messengers gave evidence against him, whereupon Laud said that *Wadsworth* was only a common messenger. *Newton* had called him a rogue. *Cooke* had stood in the pillory, and *Mayo* was a man of no conscience, had shifted his religion three or four times and kept a brothel. (Laud's Trial.)

P. 51. *Dr. Duck* was a very active member of the High Commission and no doubt an abettor of Laud's proceedings, altho' he appears to have forsaken his patron when he got into trouble. Laud says, 1641, Dr. Sir Henry Martin² died, and I made Dr. Merrick Judge of the Prerogative. Dr. Duck missing his hopes of office, by his own absence and default, and finding me under this thick cloud, hoped to have wrested this office out of my hands.—Notwithstanding the public feeling on ecclesiastical matters, Dr. Duck, as Chancellor of the London diocese, went a visitation so late as

¹ Thus in a suit against John Ward, rector of Donnington, for simony, the rector pleaded the coronation pardon, but the commissioners reported that the pardon forgave the simony, but did not rehabilitate the simonist; therefore the cause must proceed. S.P.O.

² Sir Henry Martin, Dr. of Laws, Judge of the Admiralty, Dean of the Arches, and Judge of the Prerogative Court; he resided at Longworth, Berks. Died in the autumn of 1641. He was the father of Col. Martin the regicide. N. & Q.

August 1640 and barely returned to Doctors' Commons with his life. Some verses made at the time called "The Duck's Curr-anto" give some account of his reception at various Towns—

Ye gallants all, that long for news,
And make it your recreation,
Come listen, I pray, to what ensues,
I'll tell you of our Visitation.

Wherein it happen'd, I'll briefly relate,
And tell you our Visitor's pitiful state,
There was never poor *Duck*, nest so with her mate,
Since ducks began to quack.

From London first, the Duck set out
With all her ducklings in a rout,
And many a coy-duck went about
To cite into her Court.

(They go to Brentwood and Chelmsford.)

At Halsted town again they met
Where amazons did them beset
And all their books away did get
Which made them all to quail.

Oh how it made the people sport
To see things carried in such sort
*Et cæteraes*¹ stood all amort
And durst not once to craick.

(After Dunmow, they return to London, and visit Christ Church where was a riot, then St. Lawrence and lastly St. Magnus near London bridge, where the sheriff came "with his guard of ten," and protected the Doctor to a boat.)

He is also noticed in some doggerel verse,
Then there is also one Dr. Duck.
The Proverb says "What is worse than ill luck"
We hope the Parliament his feathers will pluck
For being so busy, Dr. Duck.

¹ Laud, see H. C., p. 58.

P. 68. In 1641 John Brown, a priest and prisoner in the Gatehouse, was examined by a committee of the House of Commons. He gave this account of the High Commission,¹ "Stapleton, a messenger to the Earl of Kingston, married his wife with words, yet he was divorced in the High Commission, and it cost him £300. Francis Conne, cupbearer extraordinary to her Majesty, married Mrs. — in Scotland, and then Mrs. Wenman in England. In the High Commission it cost him above £150 in gifts, feasting his advocates and clerks to get rid of his Scotch wife, who was notoriously his wife."

"The Chief Extortioners are the registrars of the Court, *Stephen Knight* and his companion, brother-in-law to Sir John Lambe. When his Grace foresaw the Parliament would call them in question, he presently deposed them, and made the said *Knight* principal proctor in his Court, who fearing to be questioned for the same misdemeanours, fled with his whole family to Norwich, and there bought of that Bp. the Registrar's office, and so is like to continue the accustomed trade of extortion unless this honourable Court call him *coram*, to answer his innumerable oppressions, which are to be seen in the Registrar's Book of the High Commission."

"Likewise the other extortioner was Bonnyragge, the greatest knave in the country—for money he would do any thing, he carried in his pouch a number of citations and when he pleased, for money, he dismissed any one, as Mr. Quacket, Mr Smith the Jesuit, and one Cuthbert a lay brother of theirs. He dismissed some for 40s., some for 20s., and some for 10s."

"Arthur Hutte, living in St. Peter Street, Westminster, is a *promoter* or officer—these promoters went throughout England, plaguing the poor and enriching themselves, and their master, *Knight*."²

P. 42. Sir John Lambe was so patronized by Laud, that at the Abp's Trial, he was called "the Archbishop's Sir John Lambe" but the Abp. said, "he is not *my* Sir John Lambe,

¹ Harl. MS, 1219.

² In the State Paper Office is a letter in October 1636 from John Padgman to Sir John Lambe, sending copies of affidavits—he "has been often troublesome to Sir John, for which at the bottom of the box unknowne to any man, he has sent £20 which he desires Sir John to accept as his true respects," &c.

he was Dean of the Arches and I employed him as other Abps. did their deans—otherwise, no way mine.”

P. 45. Fish the proctor was suspended from his practice, for losing the libel, and putting off the prosecution of a cause he had in hand against some one for nonconformity, for it was alledged that he had received of the opposite party £20 for every term the cause was put off. Harl. MS, 4150, p. 91.

P. 64. An Intimation;—in case a person charged, could not be found, or did not appear, “Letters of Intimation” under a certain penalty, were issued. These were directed to the clergyman of the parish where the person lived, to be read in Church. Thus in the Book of Proceedings at the State Paper Office, is the following—

“Richard Murray, S.T.P., Dean of ——— abducting himself, an intimation to issue.”

P. 67. Clergy-dress. On the 20th of October 1631, Dr. Wm. Slater, of Otterden, Kent, was summoned for a translation of the Psalms and adding thereto a scandalous table to the disgrace of religion. Upon expressing his sorrow, he was freed from imprisonment and dismissed. The Bp. of London called him back and told him that the clergy were to be more careful in their habits and not to go like *Rufflers* as if they were ashamed of their ministry, “and that band Dr. Slater is not fit for a minister, nor those cuffs, up to your elbows almost.” The doctor excused himself by saying that he was in his riding clothes.

Articles were also exhibited against Mr. Gearing, a minister at Tewksbury, upon whose preaching, a man threw himself into a well and was drowned. The Bp. of London reproved him for wearing such a band “so curiously set, and too big.” Harl. MS, 4130.

ADDITIONAL CASES IN THE HIGH COMMISSION COURT.

1634, Edmund Lynedd, rector of Ealing, deprived for Nonconformity.¹

In Dickenson's History of Southwell, it is stated that about the beginning of the 17th century, a fine of £500 was laid by the Star Chamber on Gervas Lee, for a libel on the prebendaries of Southwell; as the case has not been met with, perhaps the suit was in the High Commission. Lee's Ballad contained twelve verses beginning—

Noverint universi per presentes,
That the canons of Southwell are much to be shentes
In seeing their Church windows pitefully rentes,
By not glazing of which they be greatly offendentes.
Well, said Christmas!

Again they preach to their Uxoribus,
And say, it is written in Aristotle de moribus,
That the right summum bonum to cozen the pooribus,
Is to say, that the butler is gone out of dooribus.
Well, &c.

See N. and Q., 1868, Dec. 12, p. 550.

Hugh Wyatt and Phillip Walter, of Brawnton, Devon, to be in prison till they deliver the keys of the Vestry and Chests.

Robt. Cooke, of Feering, Essex. is to repair the chancel, but "it still lay rudely and undecently."

¹ A pamphlet in the King's Library in the British Museum is intituled, "the Wren's nest defiled, or Bp. Wren anatomised, with a true relation of his persecuting of godly preaching ministers, their names particularly set down." It concludes thus—"He has many friends which pray—but what? that he may have according to his desert the gallows, if it be his due, where I will leave him—I cannot at a fitter place."

Mr. Shephard, one of the silenced ministers, in a speech at Zion College, in 1637, said "The Lord of Canterbury has possessed the King, with I know not what, he slubbered over a company of arguments, and then he speaks for altar! altar! altar! altar! just like his fellow monks of his acquaintance. Here was *Wren*; the last Lord's day he goes down to Greenwich for sooth, and as he took water the people all then bad the devil take him, the devil go with him."

Dr. Stephen Dennison, curate of St. Cath^e Cree Church, "for venting his speech against the parishioners in his sermons" is prohibited preaching; he afterwards preached under the plea of only catechising, and was suspended altogether.

Augustine Moreland, of Stroud, Kent, is fined £500 and costs, for notorious drunkenness and habitual swearing, and is committed to the Gatehouse.

Wm. Tyler, clerk, at the suit of his wife—alimony allowed but to be discontinued if she lived with her sister who kept an alehouse.

Sir Peter Prideaux, ats Mr. Foster, parson of Farway, Devon, for arresting him in his church on a warrant.

Richard Walker, clerk, having lain a twelve month in prison for preaching a scandalous and offensive sermon, is ordered to be discharged.

Lady Willoughby, (a daughter of the Bp. of Worcester and Lady of Honour to the Queen,) *v* her husband Sir Robert, she complains that he compelled her to pledge a health to the Devil, and she also charges his adultery. Sir Robt. answers that she had gone to St. Omers for two years and entered some order. The Court, when cruelty appeared, would grant alimony and expenses, in the mean while Sir Robt. was to tender his love unto his lady and himself, at her lodging in Drury Lane. Harl. MS, 4130.

1637. A Suit against Sir Edwd. Billingham for incontinency with Anne, tho wife of Cosemo Mounchy, of St. Andrews, Holborn. He was no doubt convicted, for there is a certificate of the churchwardens of Newtimber, Sussex, that he had performed the penance in a white sheet with a long white wand in his hand, and after the gospel, repeated the expression of contrition. S.P.O.

the depositions were written in English. That Justice Barker refused to the jury the witnesses who first found the man and horse, and that the jury asked forgiveness for Price, but the man was *condemned and executed*. In defence it was stated that the coroner's jury had found the facts, and that Price had received £30 for the murder. Suit dismissed.

Brooke v Adfield. A defendant having pleaded not guilty, cannot afterwards plead a pardon.¹

Snigg v Chambers. "No man must solicit generally in all courts and stir old titles, upon no grounds; this is contrary to Law."

Dudgeon v Berrington. "If a man come to sermon, and not to service, he is to be adjudged a recusant."

Whelhouse v Mercer & al. Practice to accuse of a rape. Fined £200 a piece, lose both ears, whipt at Bridewell, and ten others fined.

Edwards v Watton. For a scandalous letter. Defendant fined £500, to stand on a stool in Exeter market with his interrogatories (4 yards in length) about his neck; £160 damages, and bound to good behaviour. Mary Morris and others the publishers, £10 a piece. It was stated that "Bagnoal was hung, drawn, and quartered for a libel against the King and State." "Lex Libica, the readers of a libel to be let blood in the tongue, and the hearers in the eares."

Maynard v Parker. "All standards must remain upon the land when you fell wood by law. You cannot fall a standard for timber until it be in growth a yard from the ground."

6 JAC.

Frunke v Whitbrook. For serving process with horsemen's pieces, and such like weapons—"it is not lawful to ride with horsemen's pieces."

8 JAC.

Beaumont v Hastings & al. For reviling sessors and commissioners for subsidies, hindering the King's service, and

¹ So held also in *Willinge v Hindley*. 19 Jac.

(being accused of recusancy) publishing libels. Hastings fined £300, Colmear to ride to the Fleet, with face to horse's tail, then to Westminster to be set in pillory, and whipt at cart's tail back again, also to ride in same way from Leicester gaol to the Assize Court, and to be again pilloried and whipt as before.

Herlackenden v Eeds. For forgery of a lease of a mill. Defendant to be pilloried and lose one ear.

Rowse v David. Each party to pay £10 for *licentia concordandi*.

Hales & anr. v Skinner. For making use of one Maxon, pretending he was a merchant, and obtaining cloth and transporting it. Adjudged restitution for debt and damages, with pillory at Westminster and Cheapside.

Harrington v Bowes, clerk. For proceeding against parishioners, serving citations himself, denouncing excommunications against them when none were on record. Suit referred to Bishop.

Leveson v Sheppard. For forging a deed beginning "**This Indenture,**"—the defendant was to write these words in view of the Court, for evidence of his guilt.

Pitt v Fox, knt. & al. For challenges, riots and practices. Pringle fined £20 for a challenge, Morgan and Farmer fined for wounding one Brian, for refusing "to pledge healths of wine in a tavern," Sir Edwd. fined £300 and his man £50 for coming to plaintiff's house to arrest him upon a supposed felony.

Fox v Pitt. Plaintiff fined £20 for false clamour and £30 damages to the constable.

9 JAC.

Atty. Genl. v Empringham. For extortion and oppression as a deputy to the Vice Admiral. The parties fined, for the Admiral's Court had jurisdiction for all things done *super altu' mare*, and no jurisdiction on land.

Tapis v Wiseman. For embracery by delivering breviats to the jury, of the state of the cause. Tunbridge fined £50, and two of the jury £20 and to wear papers.¹

Robinson v Arkland, (Yorkshire). For cutting down a fair oak which sheltered plaintiff's house and the church, on pretence that defendant had a grant of three trees yearly. Principal defendants £500 each, four others at £100, two at £500, and the rest at £20.

10 JAC.

Barker v Hill. Plaintiff being a suitor to Jacaine, a widow, defendant's daughter-in-law, defendant took her to Redriff, and then to Queenborough and there married her to another.

Trew v Hunt and Rumball. Defendant, as undersheriff, seized plaintiff's goods under an invalid eligit. Fined £100 and to stand *under* the pillory at Winton, and £100 damages to plaintiff.

Atty. Genl. v Lloyd. Lloyd being a pursuivant and having a seal of the admiralty court, pulled off the seal and put it on two other processes, and thereupon apprehended divers persons in Northamptonshire, and took £40 for their discharge. Pillory, papers, whipping, ears, £300 fine and restitution.

Nannie v ap. Eliza. For felling 10,000 oaks on the King's land.

Chambers v Pointz. Defendant being ordered to seal a recognizance at Tresham church, Gloucestershire, and fearing plaintiff would interrupt him, went with his company, armed with two lances, a muskett, a case of pistols charged, two hand swords, bows and arrows,² and other weapons, and

¹ In the following year, in the case of *Dame Annis v Jones and Taylor*, the defendants were fined £200 and pilloried for the like offence. "The jury were not fined because they disliked the notes, and it was not known which of them informed the judge."

² Although armed with guns and pistols, it seems that the use of bows and arrows was not quite abandoned at that period.

brake plaintiff's head. Fined £500, to forfeit all the weapons and armour to the King, £100 damages to plaintiff. Decree to be read at assizes.

11 JAC.

Greenwood v Gent. For a riot supposed to be committed in the Middle Temple, but it was by plaintiff's provocation, or the court would have punished the defendants. The Lord Chancellor affirmed that if the King should have need to use the (service) of the gents of the Inns of Court in his war, the Lord Chancellor for the time being was to be their leader into the field.

12 JAC.

Hunken v Harris & al. Defendant being an M.P., the Speaker by direction of the House, wrote to stay the hearing of this cause, which was done.

Barrow v Llewellyn and Tisdall. For defrauding the King of his silver upon an original writ. All defendants but Tisdall, £100 each, Tisdall £3000 and to be cast over the bar and stand on the pillory with papers. Lewellyn wrote a scandalous letter, sealed it, but made no publication of it. Fined 100m and imprisoned.

15 JAC.

Proctor v Darnebrooke & al. For a riot in which a man was killed. The court would not hear it, for if they convicted, it would make the defendants murderers—they must be first indicted.

Bruton v Morris & al. For a practice to steal away plaintiff's daughter aged 12—having got her into a boat, took her to Ratcliffe, thence to Tilbury Block-houses, and so to Kersey in Suffolk, and there words of matrimony were used by a layman without license or banns or privity of parents. Referred to the judges whether the offence was against the 4 & 5 P. & M.—In Trinity Term it was adjudged that the girl not being an heiress or having estates, she was not within the statute. In the following term the defendants were fined and the judge of the Ecclesiastical court was to be well advised on admitting any of the defendants as witnesses to the contract.

19 JAC.

Clerck v Childers, J.P. Defendant assaulted plaintiff as to a right of way for a wagon of corn. The Court thought the suit petty, but as defendant was a justice of the peace and ought not to *break* the peace, he was fined £100 and suspended.

Atty. Genl. v Phipps. A strife about a pew at Swallowfield, Wilts. The relator called on Phipps on horseback, and Phipps shot his horse and then charged his musket again to shoot the relator. Defendant's wife, as author of the strife fined £100, Phipps £100 for the challenge and £400 for the assault, and £100 damages.

Bristol v Patrickson. As to Abp. Grindall's School at St. Bees. Defendant, one of the governors, fraudulently obtained a lease to his son of two tenements for 1000 years. Fined £200 and disabled as a governor.

Newton v Smith, Hales & al. Defendants had been apprentices of plaintiff, a grocer, and now gave out that he had cheated his customers in the weight of starch he bought of the starch-women¹ in gross. As they did this only to get plaintiff's customers, they were fined at £300 and £100.

Atty. Genl. v Bradshaw. For selling six cakes or fagots of silver (bought of De Quester, a Dutchman) to Miller for £40 profit instead of minting the same at the Mint for £3 profit. Miller intending to transport the same. Fined £200 and sent to the Fleet during the King's pleasure.

Atty Genl v Mary Saunders. For instructing one Kath. Malpass, 10 years of age, to practice divers tricks by cunning and sleight upon her body as if she were transformed in shape, as if she were bewitched or possessed. Fine £500, to

¹ The custom of starching, and the manufacture of starch were introduced into England in 1564 by Mrs. Dinghen Vanden plasse, and many English-women were taught by her the process - hence it seems probable that for a considerable period, the manufacture was confined to women. Burn's Hist. of Refugees, p. 189.

be set on a stool under the pillory at Westminster, then whipt to Bridewell, to stand on a form at Paul's Cross during the sermon, then on a stool under the pillory at Stratford le Bow, and in all these places to wear a paper whereon these offences were to be engrossed in text letters.

Jones v Barker. A charge of commuting a penance. One Driver was suspected of living incontinently with Margaret Beesley and sent some one to commute the penance. The bill however did not state the charge fully,¹ and the defendant was acquitted after a four day's hearing.

Part II. at page 73 comprizes nearly the same cases, (temp. Car. I.) as are contained in the Lansdown MS. No. 620 formerly belonging to N. Hardinge, Esq., noticed ante pp 92—100, but not in the same order.

Brook v Watson, Rd. Barrowe & others. (Ante p. 102) it appears that Barrowe was a minister at Burr; that he confessed all and craved mercy, that he did all for fear of Watson "who had him in bonds." Watson fined £200 for the forgery and £200 for subornation, to be nailed to the pillory by his ear with papers, and £200 damages to plaintiff. Barrowe £100 for forgery and £100 for perjury.

Frize (or Frier) v Bennett. (Ante p. 103), It is noticed that it was in this case that Mr. Justice Richardson mentioned the punishment of the Sword Bearer (p. 127). The following version is here given—"that Tully, the sword bearer of Gloucester was punished in the Star Chamber for shutting the doors of a house till he heard a libel which abused the citizens of Gloucester, *but it was ruled contrary thereto of latter tymes*; and Lord President Montague said

¹ In *Ashley v Lady Hatton* (ante p. 100) there was a demurrer for there being 32 sheets instead of 14 and 16, and ten charges instead of four.

that in the case of Justice Nicholson and others in this court, one heard a libel and laughed at it, so that he shewed his apprehension of it, and for that matter only he was punished in this court."

Atty. Genl. v Perkins, (ante p. 103.) Further particulars are given of this suit. It appears that Perkins was a servant of the Earl of Lincoln, then a close prisoner in the Tower. The letters were supposed to have been written by the Earl, and Bishops Laud and Neale said it was treason in him that contrived those letters—whereupon the reporter says,—

"Note that the two bishops can spie treason in a case which concerns the King's prerogative, when that judges that spake before could not see it, nor any of the lords that spake after."²

² This note is obliterated in the Lansd. MS, 420.

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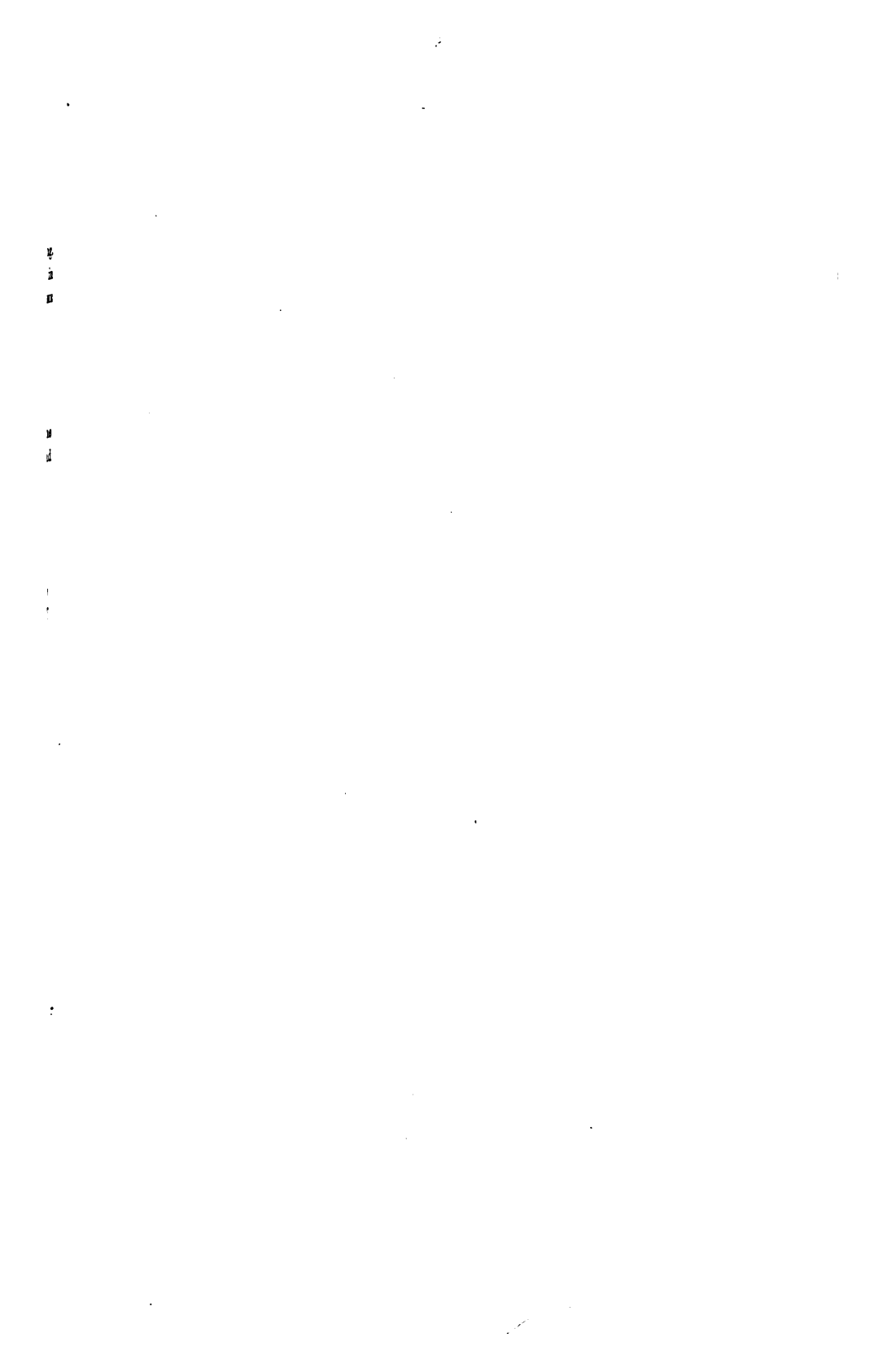
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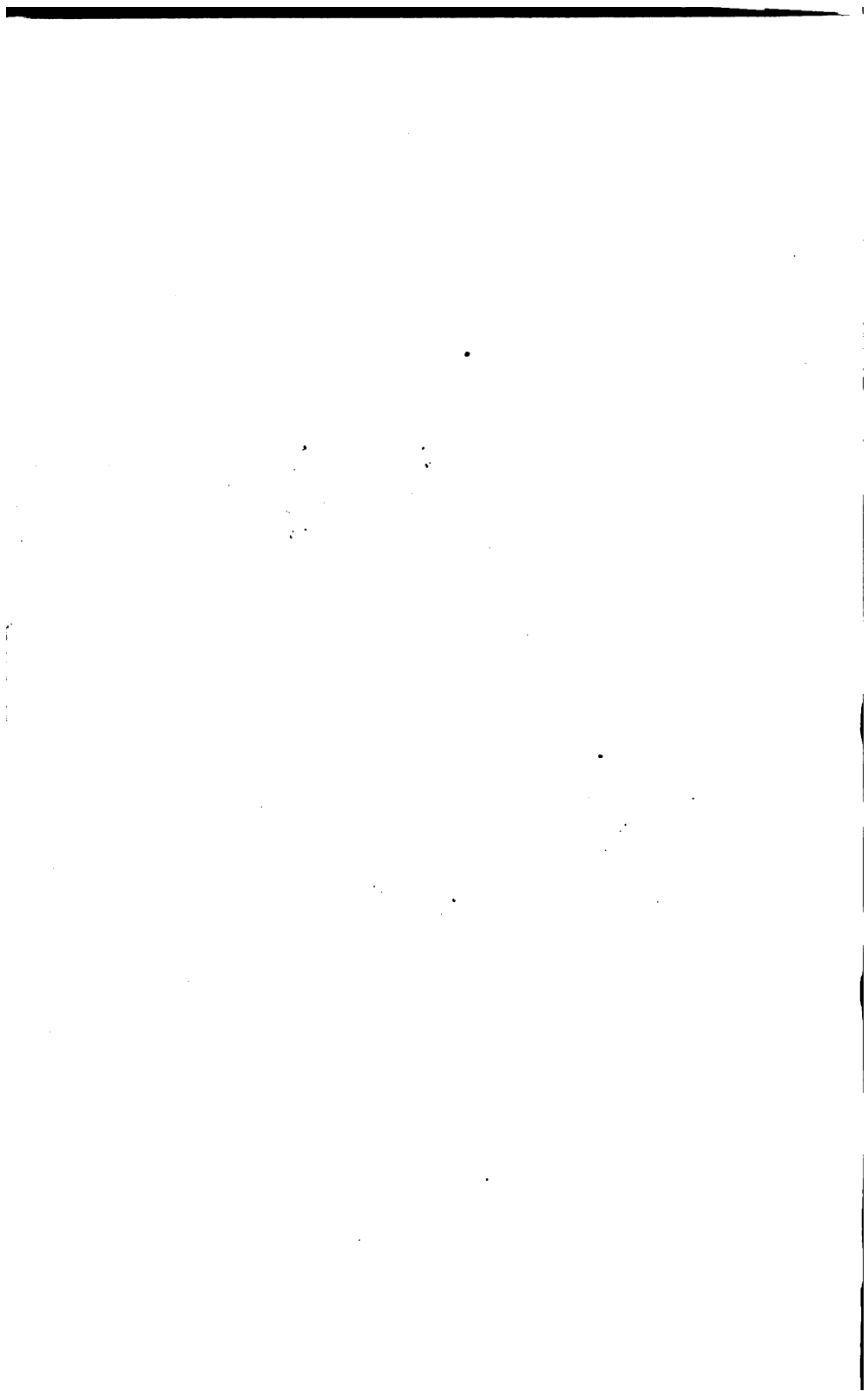
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